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HODGES, HARBIN, NEWBERRY & TRIBBLE, INC.

CONSULTING ENGINEERS

484 MULBERRY STREET • SUITE 265 • MACON, GEORGIA 31201
P. O. BOX 974 • MACON, GEORGIA 31202 -0974

H. LOWRY TRIBBLE, JR., PE
WILLIAM F. HODGES, PE
HAROLD L. NEWBERRY, PE
J. STEVEN HARBIN, PE
W. MICHAEL STUBBS, PE

TELEPHONE (478) 743-7175
FAX (478) 743-1703

December 12, 2005

Mr. Edward F. Mussler, III, P.E.
NC Department of Environment & Natural Resources
1646 Mail Service Center
Raleigh, NC 27699-1646

**Re: East Carolina Regional Landfill
Cell No. 11
HHNT Project No. 1001-375-01
Bertie County
Permit No. 08-03**

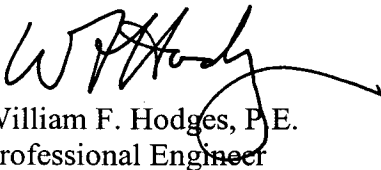
Dear Mr. Mussler:

We have enclosed the CQA Report for the lower end of Cell No. 11. This report is complete for all construction except the protective cover and leachate collection system. Once those items are complete, the final documents certifying those items will be forwarded to you. These documents are being provided for your review.

Should you have any questions, please call.

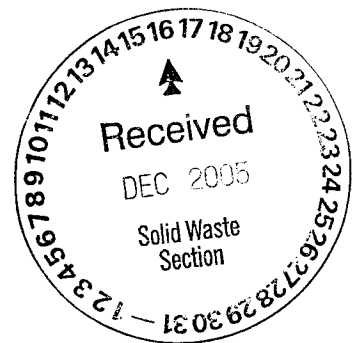
Sincerely,

HODGES, HARBIN, NEWBERRY & TRIBBLE, INC.


William F. Hodges, P.E.
Professional Engineer

WFH/gr

cc: Ray Hoffman, P.E.
Bill Cooksey
Matt Cheek





North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

October 17, 2005

Mr. Mark S. Preddy, P.G.
Bunnell-Lammons Engineering, Inc.
6004 Ponders Court
Greenville, South Carolina 29615

RE: Monitoring Well Installation: Cell 11A Construction
East Carolina Regional MSW Landfill
Bertie County, Permit No. 08-03

Dear Mr. Preddy,

This letter is written in response to your letter of August 8, 2005, requesting a change in schedule for the installation of ground-water monitoring wells associated with Cell 11, since this cell is to be constructed in stages. The Division of Waste Management authorizes Republic Services to change the schedule of well installation in accordance with the request in your letter of August 8.

The installation of Well GW-15 will be done in association with the construction of Cell 11A. The installation of Well GW-16 will be done at a later date in association with the construction of Cell 11B. This revised well installation schedule is acceptable to the Solid Waste Section.

Sincerely,

Bobby Lutfy

Bobby Lutfy
Hydrogeologist
Solid Waste Section

| | |
|-----------------|---------------------|
| cc: Ed Mussler, | Solid Waste Section |
| John Crowder, | SWS - Wilmington |
| Chuck Boyette, | SWS - Washington |
| Central File | |

Golder Associates NC, Inc.
4900 Koger Boulevard, Suite 140
Greensboro, NC 27407
Telephone: (336) 852-4903
Fax: (336) 852-4904
www.golder.com



September 23, 2005

Project No. 053-6620.101

Department of Environment and Natural Resources
Division of Waste Management
Solid Waste Section
401 Oberlin Road, Suite 150
Raleigh, North Carolina 27605
919-733-4996

Attention: Mr. Bobby Lutfy
Hydrogeologist

**Re: East Carolina Regional Landfill, Permit No. 08-03
Bertie County, North Carolina
Water Monitoring Procedures, June 2005 Revision**



Dear Bobby:

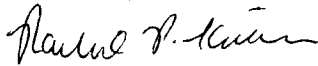
On behalf of Republic Services of North Carolina, LLC (Republic), Golder Associates NC, Inc. (Golder) is submitting this correspondence for the above-referenced facility. After a review of the Water Monitoring Procedures approved June 16, 2005, by the Solid Waste Section, we would like to offer the following comments.

Note that currently, low-flow purging and sampling is performed at the site. Each well will be sampled with dedicated pumps using U.S. Environmental Protection Agency procedures and in accordance with Section .1632 of the North Carolina Solid Waste Management Regulations (NCSWMR). As part of these procedures, the field parameters pH, conductivity, temperature, turbidity, dissolved oxygen, and oxidation-reduction potential will be collected. The sampling procedures described in Section III of the report do not specifically mention low-flow purging and sampling, but this method is allowed under the NCSWMR.

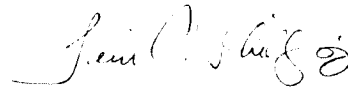
Secondly, note that the statistical analysis program mentioned in Section VIII of the report (GRITS/STAT v. 4.2) will not be used for statistical analysis. Rather, other statistical procedures that meet the requirements of .1632 of the NCSWMR will be used for statistical analysis.

We intend for this letter to serve as documentation of the above-reference items for the current Water Monitoring Procedures. If you have any questions, please contact me at 336-852-4903.

Sincerely,
GOLDER ASSOCIATES NC, INC.



Rachel P. Kirkman, P.G.
Senior Project Geologist



Terri C. Phillips
Senior Consultant

C: Matt Gamble, Hydrogeologist, NC DENR Solid Waste Section, Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section, 401 Oberlin Road, Suite 150, Raleigh, North Carolina, 27605.

Ray Hoffman, P.E., Area Engineer, Republic Services of North Carolina, LLC, 1220 Commerce Street, SW, Hickory, North Carolina, 28613.
HoffmanRJ@repsrvnc.com. 828-464-2414.

William Cooksey, General Manager, Republic Services of North Carolina, LLC, 1922 Republican Road, Aulander, North Carolina, 27805. 252-348-3322.



BUNNELL-LAMMONS ENGINEERING, INC.
GEOTECHNICAL, ENVIRONMENTAL AND CONSTRUCTION MATERIALS CONSULTANTS

Permit No. 08-03 4

August 8, 2005

Mr. Bobby Lutfy
North Carolina Department of Environment and Natural Resources
Division of Waste Management
401 Oberlin Road, Suite 150
Raleigh, North Carolina 27605

Subject: **Monitoring Well Installation: Cell 11A Construction**
East Carolina Regional MSW Landfill
Bertie County, North Carolina
BLE Project No. J05-1001-53

Dear Mr. Lutfy:

Republic Services of North Carolina, LLC (Republic) plans to develop only the western half of Cell No. 11 (Cell 11A) at the subject facility this year rather than the entire cell. As indicated in the *Design Hydrogeologic Report* [DHR], *Phase 4 (Cells 11 and 12)*, dated January 7, 2005 (revised June 3, 2005), BLE Project J04-1001-46, proposed monitoring wells GW-15 and GW-16 are planned to be installed in conjunction with Cell 11 construction.

Republic is requesting the Division's permission to install GW-15 in association with Cell 11A (western half Cell 11) and install GW-16 at a later date in association with Cell 11B (eastern half Cell 11). This request is based on:

1. A hydraulic divide crosses the central portion of Cell 11 (see Figure 8-B of the DHR);
2. Proposed well GW-15 is located southwest of Cell 11 on the southwest side of the hydraulic divide and would intersect ground-water flow emanating from beneath the Cell 11A footprint;
3. Proposed well GW-16 is located northeast of Cell 11 (and Cell 12) on the northeast side of the hydraulic divide and would intersect ground-water flow emanating from beneath the Cell 11B footprint; and
4. The proposed location of GW-16 is along the proposed access road northeast of Cell 12 which is not planned to be built during the current phase of work and will require approximately 25 feet of structural fill soil placement. If GW-16 is installed with the current cell development, it will be installed at the current ground surface and would have to be abandoned and replaced when the access road is extended to that area.

BLE_{inc}

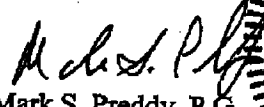
Monitoring Well Installation: Cell 11A
East Carolina Regional MSW Landfill

August 8, 2005
BLE Project No. J05-J001-53

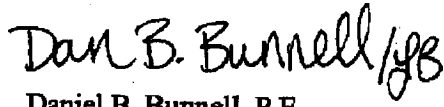
Please advise Republic if this installation schedule is acceptable. Additionally, if you have any questions or if you need additional information, please contact us at (864) 288-1265.

Very truly yours,

BUNNELL-LAMMONS ENGINEERS, INC.


Mark S. Preddy, P.G.
Senior Geologist
Registered, North Carolina #1043




Daniel B. Bunnell, P.E.
Principal
Registered, North Carolina #1381

cc: Bill Hodges, P.E.
Steve Nichting
Ray Hoffman, P.E.

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NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

July 14, 2005

Mr. William F. Hodges, P.E.
Hodges, Harbin, Newberry and Tribble, Inc.
484 Mulberry Street
Suite 265
Macon, Ga 31201

Re: Republic Services of North Carolina LLC., East Carolina Regional Landfill, Permit No:
8-03, Phase IV, Cells 11 and 12, Permit to Construct, Part 1.

Dear Mr. Hodges,

Enclosed please find the original permit to construct Phase IV, Cells 11 and 12, at the East Carolina Regional Landfill. Please review the permit carefully. According to 15A NCAC 13B .0203(d), by beginning construction and receiving waste in the cells, the applicant shall be considered to have accepted the conditions of the permit. If there are any questions regarding the permit or the conditions contained therein, please contact us.

If there are any questions either about the permit or its conditions or questions which arise during construction, please contact us. The Waste Management Specialist for the facility is Chuck Boyette. Constructin Quality Assurance will be reviewed in the Raleigh Central Office. Please send them to my attention.

Sincerely,

Edward F. Mussler, III, P.E.
Environmental Engineer
Solid Waste Section

cc. Bill Cooksey, East Carolina
Ray Hoffman, Republic Services of North Carolina LLC
Chuck Boyette, DWM
Files
Jim Barber, DWM

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone 919-508-8400 \ FAX 919-733-4810 \ Internet <http://wastenotnc.org>



NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

FACILITY PERMIT NO: 08-03

Part 1-Permit to Construct

Date of Original Issue: August 6, 1993

Date of New Facility Permit: June 17, 2005

(New facility property, capacity and rate)

Date of Permit Amendment: July 14, 2005

(Phase 4, Cell 11 and 12)

STATE OF NORTH CAROLINA

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

DIVISION OF WASTE MANAGEMENT

1646 MAIL SERVICE CENTER, RALEIGH NC 27699

MUNICIPAL SOLID WASTE LANDFILL FACILITY PERMIT

REPUBLIC SERVICES OF NORTH CAROLINA, LLC., a wholly owned subsidiary
of REPUBLIC SERVICES, INC. of Ft. Lauderdale, Fl., d.b.a.

EAST CAROLINA ENVIRONMENTAL

is hereby issued a permit to construct a Municipal Solid Waste Landfill Facility,

PHASE FOUR, CELLS 11 and 12,

Accessed via NCSR 1225 (Republican Road), north of Windsor, Bertie County, North Carolina in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The facility is located and described by the legal description of the site or the property map contained within the approved application.

Donald J. Barber, Head
Permitting Branch
Solid Waste Section

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone 919-508-8400 \ FAX 919-733-4810 \ Internet <http://wastenotnc.org>

ATTACHMENT 1

Approved Documents

PART I: GENERAL FACILITY CONDITIONS

1. *The Bertie County Solid Waste Disposal Franchise Ordinance*, February 20, 1996, amended October 17, 2000.
2. Correspondence, David A. Reed of Williams Mullen to William Hodges of Hodges Harbin, Newberry & Tribble, RE: Republic Services of North Carolina, LLC. June 10, 2005.
3. *Articles of Merger of East Carolina Environmental, Inc. and Upper Piedmont Environmental, Inc. into Republic Services of North Carolina, LLC*. Filed April 24, 2001, recorded in the Bertie County Register of Deeds Book 840, Page 853, 7 pages, June 2, 2005.
4. Title Insurance issued by Chicago Title Insurance Company or Richmond, Va. Issued to Republic Services of North Carolina, LLC, a North Carolina Limited Liability Company. Effective date May 12, 2005

PART II: MUNICIPAL SOLID WASTE LANDFILL CONDITIONS

1. *Permit Renewal Application, Phase 2, East Carolina Regional Landfill, Bertie County, North Carolina, for East Carolina Environmental, Inc.* Prepared by: Hodges, Harbin, Newberry & Tribble, Inc. Macon, Ga. May 14, 1996, as amended through August 20, 1996. 2 Volumes.
2. *Design Hydrogeological Report, Phase II (Cells 8 and 9), East Carolina Regional Landfill, Bertie County, North Carolina*. Prepared for: Hodges, Harbin, Newberry & Tribble, Inc. Macon, Ga. Prepared by: Law Engineering and Environmental Services, Inc. Greenville, SC. March 12, 1996 as revised through September 10, 1996.
3. Drawings entitled *East Carolina Regional Landfill-Phase 2, Construction Plans, East Carolina Environmental, Inc., Windsor, North Carolina*. Prepared by: Hodges, Harbin, Newberry & Tribble, Inc. Macon, Ga. May 14, 1996, as amended through August 20, 1996. 20 Sheets.
4. Drawings Entitled *Construction of Cell No. 9. East Carolina Regional MSW Landfill, East Carolina Environmental, Inc. Bertie County, North Carolina. January 2000*. Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA. January 2000. Revised through March 21, 2000. 7 sheets.
5. *Design Hydrogeologic Report. Phase 3 (Cells 9-10). East Carolina Regional Landfill. Bertie County, North Carolina*. Prepared for: HHN&T, Macon, Ga. Prepared by: Bunnell-Lammons Engineering, Inc. Greenville, SC. January 25, 2000. February 27, 2000 Addendum incorporated. As Revised March 22, 2000. BLE Project Number J98-1001-18.

FACILITY PERMIT NO: 08-03

Part 1-Permit to Construct

Date of Original Issue: August 6, 1993

Date of New Facility Permit: June 17, 2005

(New facility property, capacity and rate)

Date of Permit Amendment: July 14, 2005

(Phase 4, Cell 11 and 12)

Page 3

6. Drawings Entitled *Phase 3 Engineering Plans. East Carolina Regional MSW Landfill. East Carolina Environmental, Republic Services of North Carolina, LLC. Bertie County, North Carolina, June 2001.* Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA. June 2001. 18 sheets.
7. *Site Hydrogeologic Report. Expanded East Carolina Regional MSW Landfill. Bertie County, North Carolina.* Prepared for: HHN&T, Macon, Ga. Prepared by: Bunnell-Lammons Engineering, Inc. Greenville, SC. July 16, 1998. Revised April 11, 2003. BLE Project Number J96-1001-03.
8. *Site Application and Facility Plan. Expanded East Carolina Regional MSW Landfill. Bertie County, North Carolina.* For Republic Services of North Carolina, LLC. June 2003. As amended October 2003. Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA.
9. *Permit to Construct. Expanded East Carolina Regional MSW Landfill. Bertie County, North Carolina.* For Republic Services of North Carolina, LLC. April 2004. Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA.
10. *Permit Application For Phase 4 Construction Permit. East Carolina Regional Landfill, Bertie County, North Carolina.* For Republic Services of North Carolina, LLC, dba East Carolina Environmental. Prepared By: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA. May 2005 as revised through June 2005. 2 volumes.
11. *Design Hydrogeologic Report. Phase 4 (Cells 11-12). East Carolina Regional MSW Landfill. Bertie County, North Carolina.* Prepared for: HHN&T, Macon, Ga. Prepared by: Bunnell-Lammons Engineering, Inc. Greenville, SC. January 7, 2005. Revised June 3, 2005. BLE Project Number J04-1001-46.

PART III: CONSTRUCTION AND DEMOLITION LANDFILL CONDITIONS
(NOT APPLICABLE)

PART IV: LAND CLEARING AND INERT DEBRIS LANDFILL CONDITIONS
(NOT APPLICABLE)

PART V: YARD WASTE CONDITIONS
(NOT APPLICABLE)

PART VI: MISCELLANEOUS TREATMENT AND PROCESSING FACILITIES CONDITIONS
(NOT APPLICABLE)

ATTACHMENT 2

PART I: GENERAL FACILITY CONDITIONS

1. This permit approves the Facility Plan which, in accordance with 15 NCAC 13B .1619, defines the comprehensive development of the facility including the total municipal solid waste landfill capacity, the municipal solid waste stream, all onsite solid waste management facilities and related facility infrastructure.

The approved plans are described in Attachment 1, "Approved Documents", Part II, Documents 10 and 11. Where discrepancies may exist, the most recent approved submittal and Conditions of Permit shall govern.

2. The facility has a total gross design capacity of approximately 24,200,000 cubic yards. Gross capacity is the volume calculated from the top of protective cover through the top of the final cover, consistent with the approved contours. Approximately 8,267,000 cubic yards has been constructed and permitted for phases 1, 2 and 3. The remaining gross volume of the facility is approximately 15,933,000 cubic yards (Phases IV-VII).

This permit approves the construction of Phase IV, Cells 11 and 12, which have a gross design capacity of approximately 5,200,000 cubic yards.

The landfill will be constructed in four additional phases, Phases V-VII. Construction of cells within each phase shall be in accordance with the Division approved plans.

3. The landfill is permitted to receive solid waste generated by and in the counties of North Carolina, consistent with local government waste management plan(s), with local government approval and contract and the franchise agreement, and as defined in by North Carolina General Statutes Article 9 of Chapter 130A-290(a)(35), except where prohibited by North Carolina General Statutes Article 9 of Chapter 130A, and rules adopted by the Commission for Health Services.

The owner or operator of the landfill facility shall not knowingly dispose of municipal solid waste that is generated within the boundaries of a unit of local government that by ordinance:

- (a) Prohibits generators or collectors of municipal solid waste from disposing of that type or form of municipal solid waste.

- (b) Requires generators or collectors of municipal solid waste to recycle that type or form of municipal solid waste.
4. This facility is subject to the requirements of all applicable sections of the most recent version of the North Carolina Solid Waste Management Rules, 15A NCAC 13B and the specific conditions contained herein.
 5. This facility shall conform to the specific conditions set forth in this permit and the provisions of 15A NCAC 13B .1604(b)(2).
 6. This facility permit is issued under the criteria set forth in 15A NCAC 13B.1603(a)(2). Any facility changes that effect the criteria established in 15A NCAC 13B.1603(a)(1) may require a new permit.
 7. Republic Services of North Carolina, LLC, dba East Carolina Environmental, shall submit an amendment to this permit pursuant to 15A NCAC 13B.1603(a)(2) for any subsequent phase of development.

FACILITY CONSTRUCTION CONDITIONS

8. East Carolina Environmental shall conduct a preconstruction meeting, on site, prior to initiating construction of any unit/cell at the site and shall notify the Solid Waste Section 10 days prior to said meeting.
9. Construction of all solid waste management units within this facility shall be in accordance with the pertinent approved plans and only for those phases of development approved for construction as described in Attachment 1, Part II, Documents 10 and 11, "Approved Documents".
10. Additional conditions and revisions of the approved documents or changes during construction of any landfill unit/cell require approval by the North Carolina Solid Waste Section.
11. Any modifications in sedimentation and erosion control activities require approval by the Land Quality Section. The Section shall be notified of any sedimentation and erosion control modifications.

FACILITY PRE-OPERATIVE CONDITIONS

12. Prior to receiving waste at any new cell or subcell of this facility, a Permit to Operate, must be obtained from the Solid Waste Section in accordance with 15A NCAC 13B .0201(b).
13. The following requirements shall be met prior to waste disposal for any new cell or subcell of this facility:
 - a. Site preparation shall be in accordance with the approved plans, and the conditions specified herein.
 - b. Site inspection shall be made by a representative of the Solid Waste Section.
 - c. Prior to waste disposal for any cell, a pre-operative meeting shall be held on-site with key landfill personnel and representatives of the Solid Waste Section, at the option of the Section.

PART II: MUNICIPAL LANDFILL UNIT SPECIFIC CONDITIONS

PRE-OPERATIONAL CONDITIONS

1. Ground water monitoring wells and surface water sampling locations shall be sampled for the Appendix I constituent list prior to issuing the Permit to Operate.

CONSTRUCTION CONDITIONS

2. The owner's geologist shall be in the field to supervise all well installations. Any modifications to the approved water quality monitoring plan require approval by the Section Hydrogeologist. Documentation of all changes to the approved plan shall be submitted with the well construction records.
3. For each monitoring well constructed, a well construction record, well schematic, boring log and a description of well development activities shall be submitted to the Section within 30 days upon well completion.

PART III:

CONSTRUCTION AND DEMOLITION DEBRIS UNIT SPECIFIC CONDITIONS (NA)

PART IV: LAND CLEARING AND INERT DEBRIS UNIT SPECIFIC CONDITIONS (NA)

PART V: YARD WASTE UNIT SPECIFIC CONDITIONS (NA)

PART VI:

MISCELLANEOUS TREATMENT AND PROCESSING UNIT SPECIFIC CONDITIONS (Specify Unit Type) (NOT APPLICABLE)

08-
6

HODGES, HARBIN, NEWBERRY & TRIBBLE, INC.

CONSULTING ENGINEERS

484 MULBERRY STREET • SUITE 265 • MACON, GEORGIA 31201
P. O. Box 974 • MACON, GEORGIA 31202 -0974

H. LOWRY TRIBBLE, JR., PE
WILLIAM F. HODGES, PE
HAROLD L. NEWBERRY, PE
J. STEVEN HARBIN, PE
W. MICHAEL STUBBS, PE

TELEPHONE (478) 743-7175
FAX (478) 743-1703

June 28, 2005

Mr. Edward F. Mussler, III, P.E.
NC Department of Environment & Natural Resources
1646 Mail Service Center
Raleigh, NC 27699-1646

FAXED
JUN 28 2005

Re: East Carolina Regional Landfill
Cell No. 11
HHNT Project No. 1001-375-01

Dear Mr. Mussler:

KAB has been selected as the contractor for the subject project and they will begin construction on July 12, 2005.

Should you have any questions, please call.

Sincerely,

HODGES, HARBIN, NEWBERRY & TRIBBLE, INC.



William F. Hodges, P.E.
Professional Engineer

WFH/cg

cc: Ray Hoffman, P.E.
Bill Cooksey
Steve Nichting
Matt Cheek





NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

June 17, 2005

Mr. William F. Hodges, P.E.
Hodges, Harbin, Newberry and Tribble, Inc.
484 Mulberry Street
Suite 265
Macon, Ga 31201

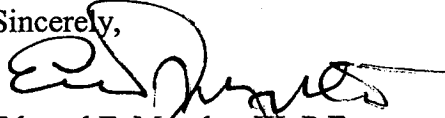
Re: Republic Services of North Carolina LLC., East Carolina Regional Landfill, Permit No:
8-03, New Facility Permit, Revised Tonnage, Permit to Construct, Part 1.

Dear Mr. Hodges,

Enclosed please find the original permit to construct, or the new facility permit which reflects the franchise volume adjustment to 1600 tpd at the East Carolina Regional Landfill. Please review the permit carefully. According to 15A NCAC 13B .0203(d), by beginning construction and receiving waste in the cells, the applicant shall be considered to have accepted the conditions of the permit. Please also note that the new permit must be recorded with the Bertie Register of Deeds Office. If there are any questions regarding the permit or the conditions contained therein, please contact us.

If there are any questions either about the permit or its conditions or questions which arise during construction, please contact us. The Waste Management Specialist for the facility is Chuck Boyette.

Sincerely,


Edward F. Mussler, III, P.E.
Environmental Engineer
Solid Waste Section

cc. Bill Hodges, P.E. HHN&T
Chuck Boyette, DWM
Files
Jim Barber, DWM

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone 919-508-8400 \ FAX 919-733-4810 \ Internet <http://wastenotnc.org>

Permit #
08-03



NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor

William G. Ross Jr., Secretary

FACILITY PERMIT NO: 08-03

Part 1-Permit to Construct

Date of Original Issue: August 6, 1993

Permit Renewal Date: November 5, 1996

Date of Permit Amendment: March 27, 2000

Date of Permit Modification: January 28, 2002

Date of New Facility Permit: June 17, 2005

(New facility property, capacity and rate)

Page 1



STATE OF NORTH CAROLINA

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

DIVISION OF WASTE MANAGEMENT

1646 MAIL SERVICE CENTER, RALEIGH NC 27699

MUNICIPAL SOLID WASTE LANDFILL FACILITY PERMIT

REPUBLIC SERVICES OF NORTH CAROLINA, LLC., a wholly owned subsidiary
of REPUBLIC SERVICES, INC. of Ft. Lauderdale, Fl., d.b.a.

EAST CAROLINA ENVIRONMENTAL

is hereby issued a permit to construct a Municipal Solid Waste Landfill Facility,

PHASE THREEE,

Accessed via NCSR 1225 (Republican Road), north of Windsor, Bertie County,
North Carolina in accordance with Article 9, Chapter 130A, of the General Statutes
of North Carolina and all rules promulgated thereunder and subject to the
conditions set forth in this permit. The facility is located and described by the legal
description of the site contained within the approved application and on page 2 of
this permit.

Donald J. Barber, Head
Permitting Branch
Solid Waste Section

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone 919-508-8400 \ FAX 919-733-4810 \ Internet <http://wastenotnc.org>

ORIGINAL

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

FACILITY PERMIT NO: 08-03

Part 1-Permit to Construct

Date of Original Issue: August 6, 1993

Permit Renewal Date: November 5, 1996

Date of Permit Amendment: March 27, 2000

Date of Permit Modification: January 28, 2002

Date of New Facility Permit: June 17, 2005

(New facility property, capacity and rate)

Page 2

LEGAL DESCRIPTION OF REAL PROPERTY

The permitted municipal solid waste landfill is located and described by the legal description of the site or the property map contained within the approved application and includes the following properties recorded in the Bertie County Register of Deeds Office.

| Grantor | Grantee | Book/Page | Plat Cabinet/Slide | Acres |
|---|--|-----------|--------------------------|------------------------------------|
| Addington Environmental, Inc | East Carolina Environmental, Inc (ECE) | 704/315 | A pages 1094 and 1095 | 491.27 |
| Powell | ECE | 704/49 | | |
| Cherry | ECE | 716/677 | B/36 | 100.43 |
| Weyerhaeuser Co | ECE | 725/655 | B/81 | 81 |
| Smallwood | ECE | 706/898 | | 41.78 |
| Cherry | RSNCLLC | 791/763 | B/379 | 43.737 |
| Articles of Merger of ECE into RSNCLC | RSNCLLC | 840/853 | | Articles of corporate merger |

Pursuant to N.C. General Statutes 130A-301, whenever the municipal solid waste facility or any portion of the land within this permit is sold, leased, conveyed or transferred, the deed or other instrument of transfer shall contain in the description section in no smaller type than that used in the body of the deed or instrument a statement that the property has been used as a sanitary landfill and a reference by book and page to the recordation of the permit.

ECE East Carolina Environmental, Inc.

RSNCLLC Republic Services of North Carolina, LLC.

NOTE: Acres rounded to nearest hundreth

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

ORIGINAL

FACILITY PERMIT NO: 08-03

Part 1-Permit to Construct

Date of Original Issue: August 6, 1993

Permit Renewal Date: November 5, 1996

Date of Permit Amendment: March 27, 2000

Date of Permit Modification: January 28, 2002

Date of New Facility Permit: June 17, 2005

(New facility property, capacity and rate)

Page 3

ATTACHMENT 1

Approved Documents

PART I: GENERAL FACILITY CONDITIONS

1. *The Bertie County Solid Waste Disposal Franchise Ordinance*, February 20, 1996, amended October 17, 2000.
2. Correspondence, David A. Reed of Williams Mullen to William Hodges of Hodges Harbin, Newberry & Tribble, RE: Republic Services of North Carolina, LLC. June 10, 2005.
3. *Articles of Merger of East Carolina Environmental, Inc. and Upper Piedmont Environmental, Inc. into Republic Services of North Carolina, LLC*. Filed April 24, 2001, recorded in the Bertie County Register of Deeds Book 840, Page 853, 7 pages, June 2, 2005.
4. Title Insurance issued by Chicago Title Insurance Company or Richmond, Va. Issued to Republic Services of North Carolina, LLC, a North Carolina Limited Liability Company. Effective date May 12, 2005

PART II: MUNICIPAL SOLID WASTE LANDFILL CONDITIONS

1. *Permit Renewal Application, Phase 2, East Carolina Regional Landfill, Bertie County, North Carolina, for East Carolina Environmental, Inc.* Prepared by: Hodges, Harbin, Newberry & Tribble, Inc. Macon, Ga. May 14, 1996, as amended through August 20, 1996. 2 Volumes.
2. *Design Hydrogeological Report, Phase II (Cells 8 and 9), East Carolina Regional Landfill, Bertie County, North Carolina.* Prepared for: Hodges, Harbin, Newberry & Tribble, Inc. Macon, Ga. Prepared by: Law Engineering and Environmental Services, Inc. Greenville, SC. March 12, 1996 as revised through September 10, 1996.
3. Drawings entitled *East Carolina Regional Landfill-Phase 2, Construction Plans, East Carolina Environmental, Inc., Windsor, North Carolina.* Prepared by: Hodges, Harbin, Newberry & Tribble, Inc. Macon, Ga. May 14, 1996, as amended through August 20, 1996. 20 Sheets.
4. Drawings Entitled *Construction of Cell No. 9. East Carolina Regional MSW Landfill, East Carolina Environmental, Inc. Bertie County, North Carolina. January 2000.* Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA. January 2000. Revised through March 21, 2000. 7 sheets.
5. *Design Hydrogeologic Report. Phase 3 (Cells 9-10). East Carolina Regional Landfill. Bertie County, North Carolina.* Prepared for: HHN&T, Macon, Ga. Prepared by: Bunnell-Lammons Engineering, Inc. Greenville, SC. January 25, 2000. February 27, 2000 Addendum incorporated. As Revised March 22, 2000. BLE Project Number J98-1001-18.

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

ORIGINAL

FACILITY PERMIT NO: 08-03

Part 1-Permit to Construct

Date of Original Issue: August 6, 1993

Permit Renewal Date: November 5, 1996

Date of Permit Amendment: March 27, 2000

Date of Permit Modification: January 28, 2002

Date of New Facility Permit: June 17, 2005

(New facility property, capacity and rate)

Page 4

6. Drawings Entitled *Phase 3 Engineering Plans. East Carolina Regional MSW Landfill. East Carolina Environmental, Republic Services of North Carolina, LLC. Bertie County, North Carolina, June 2001.* Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA. June 2001. 18 sheets.
7. *Site Hydrogeologic Report. Expanded East Carolina Regional MSW Landfill. Bertie County, North Carolina.* Prepared for: HHN&T, Macon, Ga. Prepared by: Bunnell-Lammons Engineering, Inc. Greenville, SC. July 16, 1998. Revised April 11, 2003. BLE Project Number J96-1001-03.
8. *Site Application and Facility Plan. Expanded East Carolina Regional MSW Landfill. Bertie County, North Carolina. For Republic Services of North Carolina, LLC. June 2003.* As amended October 2003. Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA.
9. *Permit to Construct. Expanded East Carolina Regional MSW Landfill. Bertie County, North Carolina. For Republic Services of North Carolina, LLC. April 2004.* Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA

PART III: CONSTRUCTION AND DEMOLITION LANDFILL CONDITIONS
(NOT APPLICABLE)

PART IV: LAND CLEARING AND INERT DEBRIS LANDFILL CONDITIONS
(NOT APPLICABLE)

PART V: YARD WASTE CONDITIONS
(NOT APPLICABLE)

PART VI: MISCELLANEOUS TREATMENT AND PROCESSING FACILITIES CONDITIONS
(NOT APPLICABLE)

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

ORIGINAL

FACILITY PERMIT NO: 08-03

Part 1-Permit to Construct

Date of Original Issue: August 6, 1993

Permit Renewal Date: November 5, 1996

Date of Permit Amendment: March 27, 2000

Date of Permit Modification: January 28, 2002

Date of New Facility Permit: June 17, 2005

(New facility property, capacity and rate)

Page 5

ATTACHMENT 2

PART I: GENERAL FACILITY CONDITIONS

1. This permit shall be effective upon compliance with 15A NCAC 13B .0204 and when the certified copy with the page, book number, date of recordation, and Register's seal is returned to the Solid Waste Section (Section).

This permit approves the Facility Plan which, in accordance with 15 NCAC 13B .1619, defines the comprehensive development of the facility including the total municipal solid waste landfill capacity, the municipal solid waste stream, all onsite solid waste management facilities and related facility infrastructure.

The approved plans are described in Attachment 1, "Approved Documents", Part II, Document 1, 4, 8 and 9. Where discrepancies may exist, the most recent approved submittal and Conditions of Permit shall govern.

2. The facility has a total gross design capacity of approximately 24,200,000 cubic yards. Gross capacity is the volume calculated from the top of protective cover through the top of the final cover, consistent with the approved contours. Approximately 8,267,000 cubic yards has been constructed and permitted for phases 1, 2 and 3. The remaining gross volume of the facility is approximately 15,933,000 cubic yards (Phases IV-VII).

The landfill will be constructed in five additional phases, Phases IV-VII. Construction of cells within each phase shall be in accordance with the Division approved plans.

This permit to construct does not approve construction of phases or cells outside of Phase III Permit to Construct issued January 28, 2002.

3. The landfill is permitted to receive solid waste generated by and in the counties of North Carolina, consistent with local government waste management plan(s), with local government approval and contract and the franchise agreement, and as defined in 15A NCAC 13B .0101(36), except where prohibited by North Carolina General Statutes Article 9 of Chapter 130A, and rules adopted by the Commission for Health Services.

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT

ORIGINAL

FACILITY PERMIT NO: 08-03

Part 1-Permit to Construct

Date of Original Issue: August 6, 1993

Permit Renewal Date: November 5, 1996

Date of Permit Amendment: March 27, 2000

Date of Permit Modification: January 28, 2002

Date of New Facility Permit: June 17, 2005

(New facility property, capacity and rate)

Page 6

4. This facility is subject to the requirements of all applicable sections of the most recent version of the North Carolina Solid Waste Management Rules, 15A NCAC 13B and the specific conditions contained herein.
5. This facility shall conform to the specific conditions set forth in this permit and the provisions of 15A NCAC 13B .1604(b)(2).
6. This facility permit is issued under the criteria set forth in 15A NCAC 13B.1603(a)(1)(E). Any facility changes that effect the criteria established in 15A NCAC 13B.1603(a)(1) may require a new permit.
7. The East Carolina Environmental shall submit an amendment to this permit pursuant to 15A NCAC 13B.1603(a)(2) for any subsequent phase of development.

FACILITY CONSTRUCTION CONDITIONS

8. East Carolina Environmental shall conduct a preconstruction meeting, on site, prior to initiating construction of any unit/cell at the site and shall notify the Solid Waste Section 10 days prior to said meeting.
9. Construction of all solid waste management units within this facility shall be in accordance with the pertinent approved plans and only for those phases of development approved for construction as described in Attachment 1, Part II, Documents 1 and 6, "Approved Documents".
10. Additional conditions and revisions of the approved documents or changes during construction of any landfill unit/cell require approval by the North Carolina Solid Waste Section.
11. Any modifications in sedimentation and erosion control activities require approval by the Land Quality Section. The Section shall be notified of any sedimentation and erosion control modifications.

FACILITY PRE-OPERATIVE CONDITIONS

12. Prior to receiving waste at any new cell or subcell of this facility, a Permit to Operate, must be obtained from the Solid Waste Section in accordance with 15A NCAC 13B .0201(b).

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

ORIGINAL

FACILITY PERMIT NO: 08-03

Part 1-Permit to Construct

Date of Original Issue: August 6, 1993

Permit Renewal Date: November 5, 1996

Date of Permit Amendment: March 27, 2000

Date of Permit Modification: January 28, 2002

Date of New Facility Permit: June 17, 2005

(New facility property, capacity and rate)

Page 7

13. The following requirements shall be met prior to waste disposal for any new cell or subcell of this facility:
- Site preparation shall be in accordance with the approved plans, and the conditions specified herein.
 - Site inspection shall be made by a representative of the Solid Waste Section.
 - Prior to waste disposal for any cell, a pre-operative meeting shall be held on-site with key landfill personnel and representatives of the Solid Waste Section, at the option of the Section.

PART II:

MUNICIPAL LANDFILL UNIT SPECIFIC CONDITIONS

PRE-OPERATIONAL CONDITIONS

- Ground water monitoring wells and surface water sampling locations shall be sampled for the Appendix I constituent list prior to issuing the Permit to Operate.

CONSTRUCTION CONDITIONS

- The owner's geologist shall be in the field to supervise all well installations. Any modifications to the approved water quality monitoring plan require approval by the Section Hydrogeologist. Documentation of all changes to the approved plan shall be submitted with the well construction records.
- For each monitoring well constructed, a well construction record, well schematic, boring log and a description of well development activities shall be submitted to the Section within 30 days upon well completion.

PART III:

CONSTRUCTION AND DEMOLITION DEBRIS UNIT SPECIFIC CONDITIONS

(NOT APPLICABLE)

PART IV:

LAND CLEARING AND INERT DEBRIS UNIT SPECIFIC CONDITIONS

(NOT APPLICABLE)

PART V:

YARD WASTE UNIT SPECIFIC CONDITIONS

(NOT APPLICABLE)

PART VI:

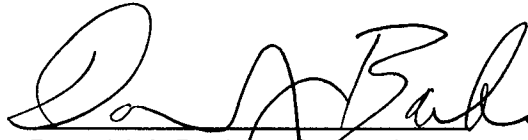
MISCELLANEOUS TREATMENT AND PROCESSING UNIT SPECIFIC CONDITIONS (Specify Unit Type) (NOT APPLICABLE)

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

ORIGINAL

CERTIFIED COPY OF SOLID WASTE PERMIT

I do hereby certify that the attached PERMIT is an exact and true copy of Permit Number 08-03.



Donald J. Barber, Supervisor
Permitting Branch
Solid Waste Section
Division of Waste Management

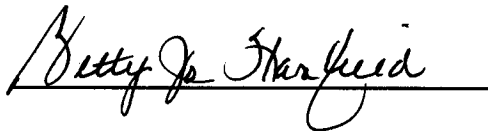
North Carolina

Wake County

I, Betty Jo Stanfield, Notary Public for Wake County, North Carolina,
do hereby certify that Donald J. Barber, of the Solid Waste Section, personally appeared
before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal,

this the 21 day of June, 2005

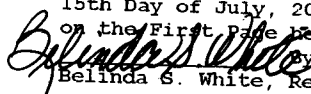


NOTARY PUBLIC

My commission expires December 29, 2009

Note to Register of Deeds: The certified copy of the closure letter shall be recorded by the Register of Deeds and indexed in the grantor index under the name of the land owner. The certified copy affixed with the Register's seal and the date, book, and page number of the recording shall be returned to Donald J. Barber, Division of Waste Management, Solid Waste Section, 1646 Mail Service Center, Raleigh, NC 27699-1646.

State of North Carolina, Bertie County
The Foregoing Certificate(s) of
BETTY JO. STANFIELD /NP
is (are) Certified to be Correct.
This Instrument was filed for Registration on this
15th Day of July, 2005 in the Book and Page shown
on the First Page hereof.

 Belinda S. White, Register of Deeds

BOOK 704 PAGE 315

PREPARED BY LARS P. SIMONSEN, POST OFFICE DRAWER 100, WINDSOR, N.C. 27983

MAIL AFTER RECORDING TO: Lars P. Simonsen, Post Office Drawer 100, Windsor, North Carolina 27983

STATE OF NORTH CAROLINA

COUNTY OF BERTIE

THIS DEED, made this the 6th day of August, 1993, by and between Addington Environmental, Inc., a Kentucky corporation, with its principal place of business at 771 Corporate Drive, Suite 900, Lexington, Kentucky 40503, party of the first part, and East Carolina Environmental, Inc., 771 Corporate Drive, Suite 1000, Lexington, Kentucky 40503, party of the second part:

WITNESSETH: That for and in consideration of the sum of Ten Dollars and other considerations in hand paid by the party of the second part to the party of the first part, receipt of which is hereby acknowledged, the said party of the first part has bargained, sold and conveyed and by these presents does bargain, sell and convey unto the said party of the second part and its successors and assigns, the following described land, to-wit:

That certain tract or parcel of land located in Snakebite Township, Bertie County, North Carolina, and containing plus or minus 491.27 acres, and being bounded on the West by N.C.S.R. 1225, on the Southwest by the lands now or formerly owned by Mildred P. Bazemore, on the South by S.R. 1221 and the lands now or formerly owned by C. Winslow Powell, on the East by the lands now or formerly owned by Weyerhaeuser Company, the lands now or formerly owned by the Essie Cherry Heirs, and the lands now or formerly owned by T. A. and E. E. Cherry, and bounded on the Northeast by the lands now or formerly owned by Willie W. Tripp, and being more particularly described on a map prepared by Albemarle Land Services, Inc. dated May 14, 1993 and entitled "A Map of a Boundary Survey of a Tract of Spruill Farms, Inc.. Property of Addington Environmental, Inc., 771 Corporate Drive, Suite 900, Lexington, Kentucky 40503, Bertie County Landfill." Said map is recorded in Plat Cabinet A, ~~SALES~~ 1094 and ~~SALES~~ 1095, of the Bertie County Public Registry, and reference is made to said map for further description.

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

NO CONSIDERATION

Tract #1

Vesling Deed-
tract 2

705 49

PREPARED BY WILLIAM W. PRITCHETT, JR., POST OFFICE DRAWER
100, WINDSOR, NORTH CAROLINA 27983

MAIL AFTER RECORDING TO: East Carolina Environmental, Inc.,
771 Corporate Drive, Suite 1000, Lexington, Kentucky 40503

STATE OF NORTH CAROLINA

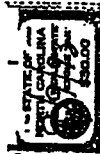
COUNTY OF BERTIE

THIS DEED, made this the 3rd day of September, 1993, by
and between Winslow C. Powell and wife, Mary Ann Powell and
Linwood Earl Powell, unmarried, parties of the first part,
and East Carolina Environmental, Inc., a corporation
organized under the laws of the State of Kentucky, whose
mailing address is 771 Corporate Drive, Suite 1000,
Lexington, Kentucky 40503, party of the second part:

WITNESSETH: That for and in consideration of the sum
of Ten Dollars and other considerations in hand paid by the
party of the second part to the parties of the first part,
receipt of which is hereby acknowledged, the said parties of
the first part have bargained, sold and conveyed and by
these presents do bargain, sell and convey unto the said
party of the second part and its successors and assigns, the
following described land, to-wit:

All that certain lot or parcel of land situated in
Snakebite Township, Bertie County, North Carolina, and more
particularly described as follows: Situate at the
intersection of State Road No. 1221 and 1244; and more
particularly described as beginning at a corner in the
intersection of the aforesaid roads at the edge of the right
of way and running thence along State Road No. 1244, North 4
degrees 15 minutes West 200 feet; thence North 84 degrees 34
minutes East 212.50 feet; thence South 4 degrees 15 minutes
East 200 feet to the edge of the right of way of S. R. 1221;
thence along S. R. 1221, 212.50 feet to the beginning,
subject however to the easements for right of way and site
area of the State Highway Commission as appears of record
and shown on the survey dated October, 18, 1973, by L. T.
Livermon, Jr. Reference is also made to deed dated June 24,

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.



705 50

1985, from Willie Rascoe, Jr. and wife, Lillie J. Rascoe to Winslow C. Powell and son, Linwood Earl Powell, duly recorded in Deed Book 650, Page 166, Bertie County Registry.

TO HAVE AND TO HOLD the aforesaid lands with all rights and privileges thereunto belonging or in anywise appertaining unto the said party of the second part and its successors and assigns, in fee simple forever.

And the said parties of the first part for themselves, their heirs and personal representatives covenant to and with the said party of the second part and its successors and assigns, that they are seized of said lands in fee simple and have a good right to convey the same in fee simple; that the said lands are free and clear of all encumbrances, SAVE AND EXCEPTING rights of ways for highways and public utilities and ad valorem taxes for the year 1993 and subsequent years, and that they will forever warrant and defend the title to the same against the lawful claims of all persons whomsoever.

Sellers may retain possession and use of the property until 5:00 o'clock p.m., November 8, 1993.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals, this the day and year first above written.

Winslow C. Powell (SEAL)
Winslow C. Powell

Mary Ann Powell (SEAL)
Mary Ann Powell

Linwood Earl Powell (SEAL)
Linwood Earl Powell

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

<https://www.industrydocuments.ucsf.edu/docs/5493>

Register of Deeds
By: *Robert H. Dwyer*
Notary Public

Tract #3

BOOK 716 PAGE 677

PREPARED BY W. W. PRITCHETT, JR., POST OFFICE DRAWER 100,
WINDSOR, NORTH CAROLINA 27983

MAIL AFTER RECORDING TO: East Carolina Environmental, Inc.,
771 Corporate Drive, Suite 1000, Lexington, Kentucky 40503

STATE OF NORTH CAROLINA
COUNTY OF BERTIE

THIS DEED, made this the 26th day of December, 1994, by
and between James Waldo Cherry and wife, Jean White Cherry,
Alonzo R. Cherry, a married person living separate and apart
from his wife, Deborah C. Spencer and husband, Steve
Spencer, and Cynthia Cherry, unmarried, parties of the first
part, and East Carolina Environmental, Inc., a corporation
organized under the laws of the State of North Carolina,
whose mailing address is 771 Corporate Drive, Suite 1000,
Lexington, Kentucky 40503, party of the second part:

WITNESSETH: That for and in consideration of the sum
of Ten Dollars and other considerations in hand paid by the
party of the second part to the parties of the first part,
receipt of which is hereby acknowledged, the said parties of
the first part have bargained, sold and conveyed and by
these presents do bargain, sell and convey unto the said
party of the second part and its successors and assigns, the
following described land, to-wit:

That certain tract or parcel of land containing 100.43
acres, located in Snakebite Township, Bertie County, North
Carolina, and being more particularly described on a map
drawn by Thomas J. Fields, R.L.S., dated October 18, 1994,
recorded in Plat Cabinet B, Page 36 of the Bertie County

\$452.00 N.C. Excise Tax

Stamp attached and returned

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

2

BOOK 716 PAGE 678

Public Registry, which is referred to and incorporated herein for further description.

TO HAVE AND TO HOLD the aforesaid lands with all rights and privileges thereunto belonging or in anywise appertaining unto the said party of the second part and its successors and assigns, in fee simple forever.

And the said parties of the first part for themselves, their heirs and personal representatives covenant to and with the said party of the second party and its successors and assigns, that they are seized of said lands in fee simple and have a good right to convey the same in fee simple; that the said lands are free and clear of all encumbrances, SAVE AND EXCEPTING rights of ways for highways and public utilities and ad valorem taxes for the year 1994 (which will be pro-rated to closing) and subsequent years, the life estate in the property of Essie L. Cherry, widow and that they will forever warrant and defend the title to the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals, this the day and year first above written.

James Waldo Cherry (SEAL)
James Waldo Cherry

Jean White Cherry (SEAL)
Jean White Cherry

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

BOOK 716 PAGE 679

Alonso R. Cherry (SEAL)
Alonso R. Cherry

Debora C. Spencer (SEAL)
Debora C. Spencer

Steven Spencer (SEAL)
Steven Spencer

Cynthia Cherry (SEAL)
Cynthia Cherry

North Carolina
STATE OF VIRGINIA

COUNTY/CITY OF Bertie

I, William W. Pritchett, Jr., Notary Public, for said county and state, do hereby certify that James Waldo Cherry and wife, Jean White Cherry, this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the 26th day of December, 1994.

William W. Pritchett, Jr.
Notary Public

My Com. Expires: 9-28-1997

(SEAL) WILLIAM W. PRITCHETT, JR.
Notary Public
Bertie County, NC

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

BOOK 716 PAGE 680

North Carolina
STATE OF VIRGINIA

COUNTY/CITY OF Bertie

I, William W. Pritchett, Jr., Notary Public, for said county and state, do hereby certify that Alonzo R. Cherry, a married person living separate and apart from his wife, this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the 26th day of ~~November~~ ^{December}, 1994.

William W. Pritchett, Jr.
Notary Public

My Com. Expires: 9-28-1997.
(SEAL) WILLIAM W. PRITCHETT, JR.
Notary Public
Bertie County, NC

North Carolina
STATE OF VIRGINIA

COUNTY/CITY OF Bertie

I, William W. Pritchett, Jr., Notary Public, for said county and state, do hereby certify that Debora C. Spencer and husband, Steven Spencer, this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the 26th day of ~~November~~ ^{December}, 1994.

William W. Pritchett, Jr.
Notary Public

My Com. Expires: 9-28-1997.
(SEAL) WILLIAM W. PRITCHETT, JR.
Notary Public
Bertie County, NC

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

BOOK 716 PAGE 681

STATE OF ~~NORTH CAROLINA~~ ^{North Carolina}

COUNTY/CITY OF Bertie

I, William W. Pritchett, Jr., Notary Public, for said county and state, do hereby certify that Cynthia Cherry, unmarried, this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the 26th day of ~~November~~ ^{December}, 1994.

William W. Pritchett, Jr.
Notary Public

My Com. Expires: 9-28-1997.
(SEAL)

WILLIAM W. PRITCHETT, JR.
Notary Public
Bertie County, NC

/u:usr/william/deeds1/CherryEast/jah/94-1-619

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

NORTH CAROLINA, BERTIE COUNTY
The foregoing certificate (s) of William W. Pritchett, Jr., he (she) certified to be correct.
This instrument was presented for registration and recorded
in the office in Book 716, Page 681
This 4 day of May, 1995 at 4:09 o'clock P. M.
Brenda J. White
Register of Deeds
Assistant Deputy

B-2
#10
-and-
Visiting Deed
Tract 4

#4

BOOK 725 PAGE 655

Excess Tax \$

Recording Time, Book and Page

Tax Lot No. _____ Parcel Identifier No. 5876-56-6880
Verified by _____ County on the _____ day of _____, 19____
by _____

Mail after recording to William H. McCullough, P.O. Box 389
Raleigh, NC 27602

This instrument was prepared by William H. McCullough, Esq., P.O. Box 388, Raleigh, NC 27602

Brief Description for the Index 50 Acres, Snakebite Township

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 9th day of January, 1988 by and between

GRANTOR

Weyerhaeuser Company, a
Washington corporation,
Post Office Box 787
Plymouth, North Carolina 27962

GRANTEE

East Carolina Environmental, Inc., a
Kentucky corporation,
771 Corporate Drive, Suite 1000
Lexington, Kentucky 40503

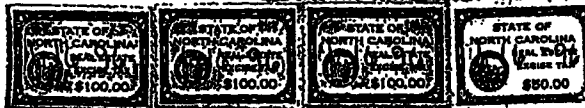
Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of _____ Snakebite Township, _____ County, North Carolina and more particularly described as set forth in Exhibit A attached hereto and made a part hereof, but subject to those reservations and exceptions of certain mineral rights and of standing timber thereon as set forth in Exhibit B attached hereto and made a part hereof.

\$ 378.00 N. C. Excise Tax

Stamp attached and cancelled



N. C. Exc. Taxes, Form No. 7-1 1077
Printed by Agreement with the N.C. Exc. Taxes
2001

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

N.C. Bar Assoc. Form No. 7 • 1977
Printed by Agreement with the N.C. Bar Assoc.
2012

725-1-657

EXHIBIT A

That certain parcel lying and being in Snakebite Township, Bertie County, North Carolina and more particularly described as follows:

BEGINNING at an iron pipe being the southeastern corner of that certain 81 acre tract conveyed to Weyerhaeuser Company by deed from Essie Cherry et al., dated July 14, 1967 and recorded in the Bertie County Registry in Deed Book 549 Page 346, same also being a corner of other lands of Weyerhaeuser Company as described in Deed Book 394, Page 355 and Map Book 1, at Page 157, in the Bertie County Registry, and runs thence North $34^{\circ}13'07''$ West 337.12 feet to an iron pipe; thence North $79^{\circ}40'20''$ West 277.40 feet to an iron pipe, the point and place of TRUE BEGINNING, same being in the northern line of certain lands of East Carolina Environmental, Inc., known as the James Cherry et al. Tract as described in Deed Book 716, Page 677 and in Plat Cabinet B, Slide 36, in the Bertie County Registry; thence with the northern line of East Carolina Environmental, Inc., the following courses and distances: (1) North $84^{\circ}43'15''$ West 391.36 feet to an iron pipe, (2) North $22^{\circ}17'15''$ West 121.72 feet to an iron pipe, (3) North $85^{\circ}33'14''$ West 583.63 feet to an iron pipe, and (4) South $64^{\circ}25'51''$ West 1,004.00 feet to a two inch aluminum monument, also a corner of other lands of East Carolina Environmental, Inc. as described in Deed Book 704, Page 315 and in Plat Cabinet A, Slides 1094 and 1095 and in Plat Cabinet B, Slide 28, in the Bertie County Registry; thence with the eastern line of East Carolina Environmental, Inc., the following courses and distances: (1) North $01^{\circ}56'52''$ East 151.04 feet to an iron pipe, a control corner, and (2) North $27^{\circ}25'52''$ East 1,563.17 feet to an iron pipe painted yellow, another control corner marking the line of other lands of East Carolina Environmental, Inc., as described in Deed Book 706, Page 898 and in Plat Cabinet A, Slide 1121, in the Bertie County Registry; thence with the southern line of lands of East Carolina Environmental, Inc., the following courses and distances: (1) North $79^{\circ}26'51''$ East 277.19 feet to an iron rebar in stump, (2) North $71^{\circ}34'13''$ East 752.39 feet to an iron rebar next to an iron pipe, and (3) North $67^{\circ}13'16''$ East 331.11 feet to an iron rebar, same being a point marking a division line of the Essie Cherry Tract as conveyed to Weyerhaeuser Company in Deed Book 549, Page 346, in the Bertie County Registry; thence with a new line of Weyerhaeuser Company, South $03^{\circ}06'39''$ West, 1,718.28 feet to an iron pipe, the point and place of TRUE BEGINNING, containing 50 acres more or less and being the western 50 acres of the Essie Cherry Tract as conveyed to Weyerhaeuser Company in Deed Book 549, Page 346, in the Bertie County Registry. The above description is taken from that certain survey entitled "Survey for East Carolina Environmental, Inc.", dated October 18, 1994, and revised and updated on December 11, 1995 by Thomas J. Fields, Registered Land Surveyor, Seal 2906, from the office of James L. Wright, Registered Land Surveyor, Troy, North Carolina, which is recorded in the Bertie County Registry in Plat Cabinet B, Slide 28, Page 1094.

PBAB-RAUM9175-1

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

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EXHIBIT B

RESERVATIONS AND EXCEPTIONS IN DEED
FROM WEYERHAEUSER COMPANY
TO
EAST CAROLINA ENVIRONMENTAL INC.

This conveyance is expressly made subject to the following reservations and exceptions:

1. Grantor reserves and retains ownership of the standing timber and forest growing stock, including the future growth of such timber and growing stock (the "Timber") now standing upon the property described in Exhibit A attached to and made a part of this deed (the "Property"), such Timber being scheduled to be cut and removed by Grantor in the ordinary course of Grantor's business in calendar year 2009. Grantee in its sole discretion may require Grantor to cut and remove all or a portion of the Timber on the Property prior to calendar year 2009 upon payment of liquidated damages pursuant to Paragraph 12 of that certain Purchase and Sale Agreement between Grantor and Grantee dated as of January 25, 1996 (the "Agreement") the terms and provisions of Paragraph 12 being incorporated herein by reference. If the Timber has not been cut and removed prior to calendar year 2009, Seller shall cut and remove it during that year, and no liquidated damages are due from Grantee to Grantor for cutting and removal of such Timber during calendar year 2009. If Grantor shall not have cut and removed such Timber by December 31, 2009, Grantor shall have no further right or interest in such Timber or any regrowth.

2. Grantor reserves and retains ownership of oil and natural gas located beneath the Property subject to the provisions of Paragraph 13 of the Agreement, the terms and provisions of Paragraph 13 being incorporated herein by reference. Notwithstanding such retention and reservation of oil and natural gas by Grantor, Grantor agrees that all exploration, drilling and extraction shall be performed by it on lands of Grantor, and Grantor shall conduct no such activities upon the Property. Grantor agrees to indemnify and save Grantee harmless from loss for any damage to the Property or to the sanitary landfill operated by Grantee caused by the exercise of Grantor's rights to explore for, drill, and extract oil and natural gas from beneath the Property.

3. By the acceptance of this deed, Grantee agrees to share equally with Grantor any net royalties or revenues realized from the sale of minerals extracted from the Property excepting oil and natural gas (which Grantor has reserved), and excepting topsoil, sand, clay, and gravel which Grantee extracts from and uses on the Property or Grantee's adjacent property. Grantee is under no obligation whatsoever to mine or excavate for such minerals, inasmuch as Grantee's sole purpose in acquiring this Property is for use as a buffer zone for Grantee's existing sanitary landfill and as a possible expansion site for such sanitary landfill. Grantee may excavate the Property for landfill purposes after Grantor has cut and removed the Timber as provided above. If minerals present on the Property prior to the date of this deed (other than oil, natural gas, topsoil, sand, clay and gravel) are discovered in the course of Grantee's excavation, and Grantee deems it economically feasible

PPAB-RA149705-1

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

725 869

to mine and extract, or to arrange for third parties to mine and extract, the minerals on the Property (excluding oil, natural gas, topsoil, sand, clay and gravel). Grantee agrees to share any royalties or revenues from the sale of such minerals net of Grantee's reasonable expenses incurred therein, if any, with Grantor on a fifty-fifty (50-50) basis. If Grantee violates the foregoing conditions applicable to topsoil, sand, clay and gravel and fails to use the same on the Property or on Grantee's adjacent property but instead commercially develops and sells such items, Grantor shall be entitled to royalties or revenues from the sale of such items net of Grantee's reasonable expenses incurred therein, if any, on a fifty-fifty (50-50) basis. Grantor and Grantee hereby agree that the covenants set out in this Paragraph 3 of this Exhibit B shall be a covenant running with the land and shall be binding upon Grantee and any successor in title to the Property conveyed herein.

PPAB-RA149703-1

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

Track #5

706 PAGE 898

PREPARED BY PRITCHETT, COOKE & BURCH, POST OFFICE DRAWER
100, WINDSOR, NORTH CAROLINA 27983

MAIL AFTER RECORDING TO: East Carolina Environmental, Inc.
9431 U.S. Route 60, Ashland, KY 41102-9527

STATE OF NORTH CAROLINA

COUNTY OF BERTIE

THIS DEED, made this the 2nd day of December, 1993, by
and between Teresa Smallwood, unmarried, Naomi Cherry Taylor
and husband Clarence Taylor, Joanna Pugh Holley and husband
Johnny Holley, parties of the first part, and East Carolina
Environmental, Inc., a corporation organized under the laws
of the State of North Carolina, whose mailing address is
9341 U.S. Route 60, Ashland, KY 41102-9527, party of the
second part:

WHEREAS Mattie C. Smallwood died intestate a resident
of Bertie County, North Carolina on October 28, 1992, and

WHEREAS at Mattie C. Smallwoods death she was survived
by her only child and sole heir at law, Teresa Smallwood,
now therefore:

WITNESSETH: That for and in consideration of the sum
of Ten Dollars and other considerations in hand paid by the
party of the second part to the parties of the first part,
receipt of which is hereby acknowledged, the said parties of
the first part have bargained, sold and conveyed and by
these presents do bargain, sell and convey unto the said
party of the second part and its successors and assigns, the
following described land, to-wit:

\$188.00 N. C. Excise Tax

Stamp attached and cancelled

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

4

706 899

That certain tract of land situate in Snakebite Township, Bertie County, North Carolina, more particularly described as follows:

Bounded on the North by the lands of Hubert Cherry, on the South by the lands of Weyerhaeuser, on the West by the lands of East Carolina Environmental, Inc., and being more particularly described on a survey prepared by Ahoskie Surveying Company, dated November 19, 1993 and Entitled "Boundary Survey of Property known as the Pauline Cherry Tract for East Carolina Environmental, Inc.", said survey being recorded in Plat Cabinet A Page 121, in the Office of the Register of Deeds of Bertie County, North Carolina, containing 41.78 acres more or less.

Save and except a Cemetery lot containing 0.014 acre, as shown on said map, together with Right of Way for Ingress, Egress and Maintenance of said Cemetery over an existing dirt path.

TO HAVE AND TO HOLD the aforesaid lands with all rights and privileges thereunto belonging or in anywise appertaining unto the said party of the second part and its successors and assigns, in fee simple forever.

And the said parties of the first part for themselves, their heirs and personal representatives covenant to and with the said party of the second part and its successors and assigns, that they are seized of said lands in fee simple and have a good right to convey the same in fee simple; that the said lands are free and clear of all encumbrances, SAVE AND EXCEPTING rights of ways for highways and public utilities and ad valorem taxes for the year 1993 and subsequent years, and that they will forever warrant and defend the title to the same against the lawful claims of all persons whomsoever.

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

706 800

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals, this the day and year first above written.

Teresa Smallwood (SEAL)
Joanna Pugh Holley (SEAL)
Johnny Holley (SEAL)
Naomi Cherry Taylor (SEAL)
Clarence Taylor (SEAL)

STATE OF NORTH CAROLINA
 COUNTY OF BERTIE

I, Stephanie B. Irvine, Notary Public, for said county and state, do hereby certify that Teresa Smallwood, this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the 28 day of December, 1993.
 STEPHANIE B. IRVINE
 Notary Public
 Bertie County, NC

Stephanie B. Irvine
 Notary Public

My Com. Expires: 9/28/97.
 (SEAL)

STATE OF NORTH CAROLINA
 COUNTY OF Bertie

I, Stephanie B. Irvine, Notary Public, for said county and state, do hereby certify that Joanna Pugh Holley

RECORD OF POOR QUALITY DUE TO
 CONDITION OF ORIGINAL DOCUMENT.

708 PAGE 901

and husband Johnny Holley, this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the 2nd day of December, 1993.

STEPHANIE B. IRVINE
Notary Public
Bertie County, NC

Stephanie B. Irvine
Notary Public

My Com. Expires: 9/28/97
(SEAL)

STATE OF NORTH CAROLINA

COUNTY OF Bertie

I, Stephanie B. Irvine, Notary Public, for said county and state, do hereby certify that Naomi Cherry Taylor and husband Clarence Taylor, this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the 2nd day of December, 1993.

STEPHANIE B. IRVINE
Notary Public
Bertie County, NC

Stephanie B. Irvine
Notary Public

My Com. Expires: 9/28/97
(SEAL)

/usr/patty/EastCarol

NORTH CAROLINA, BERTIE COUNTY.
The foregoing certificate (s) of Stephanie B. Irvine
N.P. is (are) certified to be correct.
This instrument was presented for registration and recorded
in the office in Book 706 Page 888
This 2 day of December, 1993 at 2:44 o'clock P. M.
Belinda S. White
Register of Deeds
By: Margaret L. Bond
Assistant / Deputy

RECORD IN GOOD QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

Vesting Deed
Tract 6

Bertie County--Register of Deeds
Belinda S. White, Register
Inst #1218 Book 791 Page 763
Excise Tax Paid \$ 310.00
02/12/2002 04:09:47pm

RECORD OF PROPERTY IN DEED TO
CONDITION OF ORIGINAL DOCUMENT.

Inst # 1218 Book 791 Page: 764

bargain, sell and convey unto the said party of the second part and its successors and assigns, the following described land, to-wit:

That certain tract of land located in Saakebite Township, Bertie County, North Carolina, containing 43.737 acres, and being more particularly described on a map as Tracts 4 and 5 prepared by John M. Story, R.L.S., dated July 30, 1997, recorded in Plat Cabinet B, Slide 319, of the Bertie County Public Registry.

SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

CONDITIONS OF SALE AND OWNERSHIP: The Seller and Buyer agree to the following conditions regarding the sale and ownership of the aforementioned property.

(A) **OCCUPANCY & RENTAL PROCEEDS:** Upon the completion of the closing, the Buyer agrees to lease the property described in this deed to the Seller whereby the Seller will be allowed to remain on the property and reside in the residence located on the property rent-free, until notice has been given pursuant to Paragraph (C). The Seller may also rent and use the farmlands located on the real property as he sees fit. If the Seller chooses to rent out the farmland, then the Seller may do so and keep all rental proceeds himself.

(B) **TERM:** The term of this lease shall commence on the day of closing and shall be terminable by either party pursuant to Paragraph C.

(C) **TERMINATION OF LEASE:**

1) **Seller Termination:** In the event, the Seller wishes to terminate the aforementioned lease, the Seller must vacate the premises within ninety days (90) of giving written notice to the Buyer. The Seller shall be responsible for removing himself and all personal property from the land within the ninety (90) day period. The Seller shall bear all costs associated with his removal of personal property from the land.

2) **Buyer Termination:** In the event, the Buyer wishes to terminate the aforementioned lease, the Buyer shall give the Seller a twelve month written notice of the Buyer's intent to use the land and for the Seller to remove himself and his personal

Pritchett & Birch, PLLC
Winston, North Carolina

RECORDED IN PLAT CABINET B
SLIDE 319 OF ORIGINAL DOCUMENT

(G) **INDEMNIFICATION:** Seller agrees to lease the land "as is" and release the Buyer from any liability due to the condition of the land in connection with the terms of this lease described herein. Seller shall indemnify and hold harmless the Buyer from and against any and all liability, fines, suits, claims, demands, actions and costs and expenses of any kind or nature whatsoever caused by, arising out of or in any manner connection with (a) any breach, violation or nonperformance of any covenant, condition or agreement set forth in this Agreement to be fulfilled or performed by the Seller; (b) any damage to property occasioned by the Seller's use or occupancy of the Property or (c) any injury to a person or persons who is authorized or requested by the Seller to be on the property, including death resulting at any time therefrom, or any damage occurring in or about the Property and resulting from or occasioned by Seller's use or occupancy of the Property. The aforementioned indemnification applies so long as the Seller occupies the property. The indemnification ceases

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

Pritchett & Burch, PLLC
Windsor, North Carolina

Inst # 1218 Book 791 Page 766

upon the termination of the lease or when the Seller no longer occupies the property.

- (H) **ADDITIONAL TERMS:** The Seller is allowed to remove any materials from the structures on the land, including, but not limited to, tin roofs, walls, and other materials. The Seller shall not be billed for the removal of such materials and the Buyer shall not charge the Seller for the removal of said materials.

These are the same terms and conditions as agreed to between the Buyer and Seller pursuant to a Contract of Sale dated November 9, 2001, executed by the Seller and Buyer.

TO HAVE AND TO HOLD the aforesaid lands with all rights and privileges thereunto belonging or in anywise appertaining unto the said party of the second part and its successors and assigns, in fee simple forever.

And the said party of the first part for himself, his heirs and personal representatives covenant to, and with the said party of the second party and its successors and assigns, that he is seized of said lands in fee simple and has a good right to convey the same in fee simple; that the said lands are free and clear of all encumbrances, SAVE AND EXCEPTING rights of ways for highways and public utilities and ad valorem taxes for the year 2002 and subsequent years, which will be pro-rated to the date of closing, and that he will forever warrant and defend the title to the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal, this the day and year first above written.

Pritchett & Burch, PLLC
Windsor, North Carolina

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

Inst # 1218 Book 791 Page: 767

Hubert Cherry (Seal)
Hubert Cherry
Seller
Drew Isenhour (Seal)
Drew Isenhour
Area President of Republic Services of
North Carolina, L.L.C.
Buyer

STATE OF NORTH CAROLINA

COUNTY OF BERTIE

I, A. Travis Ellis, Notary Public, for said county and state, do hereby certify that Hubert Cherry this day personally appeared before me and acknowledged the due execution of the foregoing Instrument for the purposes therein expressed.

Witness my hand and official seal, this the 7th day of February, 2002.

A. Travis Ellis
Notary Public

My Commission Expires: 4/25/2004

(NOTARIAL SEAL)

A. TRAVIS ELLIS
NOTARY PUBLIC - NORTH CAROLINA
CHOWAN COUNTY
COMMISSION EXPIRES APRIL 25, 2004

COUNTY OF Catawba

I, Donna E. Vanhorn, Notary Public, for said county and state, certify that Drew Isenhour personally came before me and acknowledged he is the Area President of Republic Services of North Carolina, L.L.C., a

Pritchett & Birch, PLLC
Wendover, North Carolina

RECORD OF PUBLIC UTILITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

Inst # 1218 Book 791 Page: 768

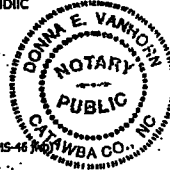
corporation, and that by authority duly given and as the act of the corporation,
the foregoing Instrument was signed in its name by its Area President, sealed
with its corporate seal, and attested by him its Area President.

Witness my hand and official seal, this the 11th day of February, 2002.

Donna E. Vanhoen

Notary Public

My Commission Expires August 3, 2003
(NOTARIAL SEAL)



ATE/ 01 Deeds/ Cherry Hubert deed to Republic Services of NC, LLC (00-MS-46)

The foregoing Certificate(s) of A. TRAVIS HUBERT, DONNA E. VANHOEN /SP

As (are) Certified to be Correct:
This Instrument was filed for Registration on this 11th Day of
February, 2002 in the Book and Page shown on the First Page hereof.

Balinda S. White Donna E. Vanhoen
Balinda S. White, Registrar

Pritchett & Berk, PLLC
Wendur, North Carolina

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

JUN 09 2005 16:33 FR CTIC-GREENVILLE 252 758 0360 TO 18047836507
JUN-09-2005 15:16 From:BAKER JUNE

P.02



NORTH CAROLINA

Department of The Secretary of State

Bertie County--Registrar of Deeds

Belinda S. White, Registrar of Deeds

Inst# 12226 Book 840 Page 853

Page: 7 06/09/2005 03:18:04pm

Belinda S. White Rtd
Sy. Sandra P. Clark, Asst.

To all whom these presents shall come, Greetings:

I, ELAINE F. MARSHALL, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF MERGER

OF

EAST CAROLINA ENVIRONMENTAL, INC.

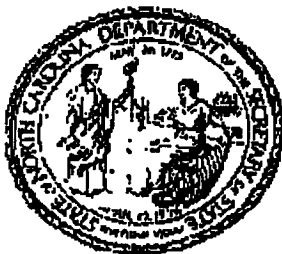
AND

UPPER PIEDMONT ENVIROMENTAL, INC.

INTO

REPUBLIC SERVICES OF NORTH CAROLINA, LLC ✓

the original of which was filed in this office on the 24th day of April, 2001.



IN WITNESS WHEREOF, I have hereunto
set my hand and affixed my official seal at the
City of Raleigh, this 24th day of April, 2001

Elaine F. Marshall
Secretary of State

DocumentId: 211135131

JUN 09 2005 16:34 FR CTIC-GREENVILLE 252 758 0360 TO 18047836507

P.03

JUN-09-2005 15:13 FROM: OWNER JUNE 09 2005 15:13 Book 840 Page: 854

04/24/01 FRI 13:47 FAX 9517680421

BARCLAY LEONAL

BOSID: 0518434

Data Filed: 4/24/2001 9:48 AM

Elaine P. Marshall

North Carolina Secretary of State

211099014

State of North Carolina
Department of the Secretary of State

ARTICLES OF MERGER
(Cross-entity Merger*)

Pursuant to North Carolina General Statute Sections 55-11-10(d), 55A-11-09(c), 57C-9A-22, 59-73.5 and 59-1013, as applicable, the undersigned surviving entity does hereby submit the following Articles of Merger as the surviving business entity in a merger between two or more business entities.

1. The name of the surviving entity is Republic Services of North Carolina, LLC, a (check one) ☐ corporation, ☐ nonprofit corporation, ☐ professional corporation, ☒ limited liability company, ☐ limited partnership, ☐ partnership, ☐ limited liability partnership organized under the laws of North Carolina.
2. The address of the surviving entity is:
 Street Address 110 S.E. 6th Street 28th Floor City San Lauderdale
 State FL Zip Code 33301 County Broward
 (If Different) Mailing Address same City _____
 State _____ Zip Code _____
3. The name of the merged entity is SEE ADDENDUM ATTACHED, a (check one) ☒ corporation, ☐ nonprofit corporation, ☐ professional corporation, ☐ limited liability company, ☐ limited partnership, ☐ partnership, ☐ limited liability partnership organized under the laws of Kentucky.
4. Attached is a copy of the Plan of Merger that was duly approved by each merging business entity or unincorporated entity in the manner required by law.
5. With respect to the surviving entity (check the appropriate response):
 - a. If the surviving entity is a North Carolina corporation or professional corporation:
 - (i) ☐ Shareholder approval was not required for the merger.
 - (ii) ☐ Shareholder approval was required for the merger, and the plan of merger was approved by the shareholders as required by Chapter 55 or Chapter 55B, if applicable, of the North Carolina General Statutes.
 - b. If the surviving entity is a North Carolina nonprofit corporation:
 - (i) ☐ Member approval was not required for the merger, and the plan of merger was approved by a sufficient vote of the board of Directors.
 - (ii) ☐ Member approval was required for the merger, and the plan of merger was approved by the members as required by Chapter 35A of the North Carolina General Statutes.

10/01/01 15:38 On 17/ System Online

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

JUN 09 2005 16:34 FR CTIC-GREENVILLE 252 758 0360 TO 18047836507
Inst#12226 Book 840 Page: 855

P.04

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

(iii) ___ Approval of the plan of merger by some person or persons other than the members or the board was required pursuant to N.C.G.S. Section 55A-11-03(a)(3), and such approval was obtained.

c. If the surviving entity is a North Carolina limited liability company:

(i) ___ The merger was approved in the manner provided by the articles of organization or a written operating agreement providing for approval of a merger with the type of business entity contemplated in the plan of merger.

(ii) x The merger was approved by the unanimous consent of the members of the limited liability company.

d. If the surviving entity is a North Carolina partnership, including a limited liability partnership, or a North Carolina limited partnership:

(i) ___ The merger was approved in the manner provided in a written partnership agreement that is binding on all the partners for approval of a merger with the type of business entity contemplated in the plan of merger.

(ii) ___ The merger was approved by the unanimous consent of the partners.

e. ___ The surviving entity is a foreign entity, including a corporation, nonprofit corporation, professional corporation, limited liability company, partnership, limited liability partnership or limited partnership, and the merger was approved in accordance with the laws of the state or country governing the organization and internal affairs of the foreign entity.

6. With respect to the merged entity (check the appropriate response):

a. If the merged entity is a North Carolina corporation or professional corporation:

(i) ___ Shareholder approval was not required for the merger.

(ii) ___ Shareholder approval was required for the merger, and the plan of merger was approved by the shareholders as required by Chapter 55 or Chapter 55B, if applicable, of the North Carolina General Statutes.

b. If the merged entity is a North Carolina nonprofit corporation:

(i) ___ Member approval was not required for the merger, and the plan of merger was approved by a sufficient vote of the board of directors.

(ii) ___ Member approval was required for the merger, and the plan of merger was approved by the members as required by Chapter 55A of the North Carolina General Statutes.

(iii) ___ Approval of the plan of merger by some person or persons other than the members or the board was required pursuant to N.C.G.S. Section 55A-11-03(u)(3), and such approval was obtained.

c. If the merged entity is a North Carolina limited liability company:

(i) ___ The merger was approved in the manner provided by the articles of organization or a written operating agreement providing for approval of a merger with the type of business entity contemplated in the plan of merger.

NC047 - 12/9/2005 17:37:00

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P.05
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Inst#12226 Book 640 Page: 856

(ii) The merger was approved by the unanimous consent of the members of the limited liability company.

d If the merged entity is a North Carolina partnership, including a limited liability partnership, or a North Carolina limited partnership:

(1) The merger was approved in the manner provided in a written partnership agreement that is binding on all the partners for approval of a merger with the type of business entity contemplated in the plan of merger.

(ii) The merger was approved by the unanimous consent of the partners.

8. X The merging entity is a foreign entity, including a corporation, nonprofit corporation, professional corporation, limited liability company, partnership, limited liability partnership or limited partnership, and the merger was approved in accordance with the laws of the state or country governing the organization and internal affairs of the foreign entity.

7. The merger is permitted by the law of the state or country governing the organization and interna. affairs of each merging business entity.

Each business entity that is a party to the merger has complied or shall comply with the applicable laws of the state or country governing its organization and internal affairs.

9. These articles will be effective upon filing, unless a delayed date and/or time is specified:

This the 7th day of April, 2001.

Republic Services of North Carolina, LLC

Name of Ensign

Signature

Harold W. Hudson, 1916-1988

Type of Print Name and Title

ብሪቲሽ-

[illegible]

2. Filing fee of \$50. This document has not been filed for record and should not be used for any purpose other than the purpose for which it was filed.

(December, 1999)
CORPORATIONS DIVISION
5421

P O. BOX 2422

Form 54-15)
RALBIGH, NC 27621.

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JUN-09-2005 16:35:11 CTIC-GREENVILLE 252 758 0360 TO 18047836507

P.06

ADDENDUM 1 TO
ARTICLES OF MERGER

#3. Merging Entities:

East Carolina Environmental, Inc., a Kentucky corporation
Upper Piedmont Environmental, Inc., a Kentucky corporation

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

JUN 09 2005 16:35 FR CTIC-GREENVILLE 252 758 0360 TO 18047836507
 JUN-09-2005 15:18 From: BAKER, J. W.

P.07

Inst#12226 Book 840 Page: 150

Exhibit APLAN OF MERGER

This Plan of Merger (this "Plan") is adopted as of April 19, 2001 by and among EAST CAROLINA ENVIRONMENTAL, INC. and UPPER PIEDMONT ENVIRONMENTAL, INC., each a Kentucky corporation (the "Merging Entities"), and REPUBLIC SERVICES OF NORTH CAROLINA, LLC, a North Carolina limited liability company (the "Surviving Entity").

RECITALS

The boards of directors and shareholders of the Merging Entities and the sole manager and sole member of the Surviving Entity have determined that it is advisable and in the best interests of each such corporation and its respective shareholders/member that the Merging Entities be merged (the "Merger") with and into the Surviving Entity on the terms and subject to the conditions set forth herein.

ARTICLE ITHE MERGER

At the Effective Time (as defined in Article V hereof), the Merging Entities shall be merged with and into the Surviving Entity in accordance with Sections 55-11-10(d), 55A-11-09(d), 57C-9A-07, 59-73.5 and 59-1013 of the North Carolina General Statute (the "NCGS"), and the separate existence of the Merging Entities shall cease and the Surviving Entity shall thereafter continue as the Surviving Entity under the laws of the State of North Carolina.

ARTICLE IITHE SURVIVING ENTITY

A. At the Effective Time, the Articles of Organization of the Surviving Entity, as in effect immediately prior to the Effective Time, shall be the Articles of Organization of the Surviving Entity.

B. At the Effective Time, the Operating Agreement of the Surviving Entity, as in effect immediately prior to the Effective Time, shall be the Operating Agreement of the Surviving Entity, until thereafter altered, amended or repealed in accordance with the NCGS and the Articles of Organization and Operating Agreement of the Surviving Entity.

C. At the Effective Time, the officers and managers of the Surviving Entity shall be the officers and managers of the Surviving Entity until their successors are elected and have qualified.

D. At the Effective Time, the name and address of the registered agent of the Surviving Entity shall be C Corporation System, 225 Hillsborough Street, Raleigh, North Carolina 27603.

Plan of Merger-MCS and

RECORD OF POOR QUALITY DUE TO
 CONDITION OF ORIGINAL DOCUMENT.

JUN 09 2005 16:35 FR CTIC-GREENVILLE

252 758 0360 TO 18047836507

P.08

JUN-09-2005 15:10 FROM: [REDACTED]

INST#12503

BOOK 842 PAGE: 124

ARTICLE III

MANNER AND BASIS OF CONVERTING SHARES

At the Effective Time, each share of common stock of the Merging Entities (the "Merging Company's Common Stock"), which shall be issued and outstanding (including shares of the Merging Company's Common Stock held in treasury), shall be automatically canceled and extinguished without any conversion thereof.

ARTICLE IV

EFFECT OF MERGER

At the Effective Time, all property, rights, privileges, powers and franchises of the Surviving Entity and the Merging Entities shall vest in the Surviving Entity, and all liabilities and obligations of the Surviving Entity and the Merging Entities shall become liabilities and obligations of the Surviving Entity, including, the payment of all fees and franchise taxes.

ARTICLE V

EFFECTIVE TIME

As used in this Agreement, the term "Effective Time" shall mean April 11, 2001, not the date and time of filing of Articles of Merger with the Secretary of State of the States of North Carolina with respect to the Merger.

[END OF DOCUMENT]

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT.

READ OF PAGES: 12503

2

BOOK 725 PAGE 655

Excise Tax \$

Recording Time, Book and Page

Tax Lot No. _____ Parcel Identifier No. Portion of 5876-56-6880
 Verified by _____ County on the _____ day of _____, 19____
 by _____

Mail after recording to ~~State~~ William H McCullough, P.O. Box 389
Raleigh NC 27602

This instrument was prepared by William H. McCullough, Esq., P.O. Box 389, Raleigh, NC 27602

Brief Description for the index

50 Acres, Snakebite Township

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 9th day of January, 1996 by and between

GRANTOR

Weyerhaeuser Company, a
 Washington corporation,
 Post Office Box 787
 Plymouth, North Carolina 27962

GRANTEE

East Carolina Environmental, Inc., a
 Kentucky corporation,
 771 Corporate Drive, Suite 1000
 Lexington, Kentucky 40503

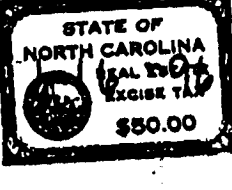
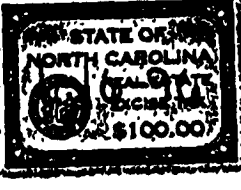
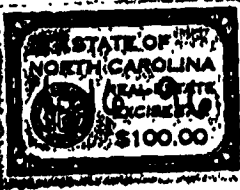
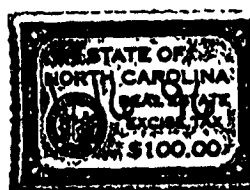
Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of _____, Snakebite Township, Bertie County, North Carolina and more particularly described as set forth in Exhibit A attached hereto and made a part hereof, but subject to those reservations and exceptions of certain mineral rights and of standing timber thereon as set forth in Exhibit B attached hereto and made a part hereof.

\$ 378.00 N. C. Excise Tax

Stamp attached and cancelled



The property hereinabove described ^{is a portion of the property} was acquired by Grantor by instrument recorded in Book 549
Page 346, Bertie County Registry.

A map showing the above described property is recorded in Plat Book Cabinet B page 81.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple, subject to the reservations and exceptions set forth in Exhibit B attached hereto and made a part hereof.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions: See Exhibit B

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

WEYERHAEUSER COMPANY

(Corporate Name)

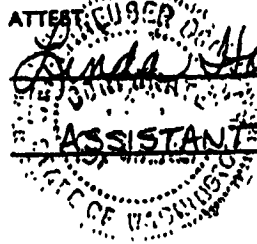
By:

J.C. Jumper

VICE

President

ATTEST



Linda Holton

ASSISTANT

Secretary (Corporate Seal)

SEAL-STAMP

NORTH CAROLINA, _____ County.
I, a Notary Public of the County and State aforesaid, certify that _____ Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing instrument.
Witness my hand and official stamp or seal, this _____ day of _____, 19____.
My commission expires: _____ Notary Public

NORTH CAROLINA, Craven County.
I, a Notary Public of the County and State aforesaid, certify that Linda Holton
personally came before me this day and acknowledged that she is Assistant Secretary of
Weyerhaeuser Company, a Washington corporation, and that by authority duly
given and as the act of the corporation, the foregoing instrument was signed in its name by its
VICE President, sealed with its corporate seal and attested by him/her as its
Secretary. Witness my hand and official stamp or seal, this 9 day of Jan, 1996
My commission expires: 2-16-96 Barbara C. Khoury Notary Public

Notary Public

NORTH CAROLINA, BERTIE COUNTY

The foregoing certificate(s) of Barbara C. Khoury

is (are) certified to be correct. This instrument was presented and recorded in the office of Register of Deeds, Bertie County, N.C., in Book 725, Page 655.

This 16 day of Jan, 1996, at 10:56 o'clock A. M.

Belinda S. White
Belinda White, Register of Deeds

By: Margaret R. Bend
Ass't Deputy Register of Deeds

EXHIBIT A

That certain parcel lying and being in Snakebite Township, Bertie County, North Carolina and more particularly described as follows:

BEGINNING at an iron pipe being the southeastern corner of that certain 81 acre tract conveyed to Weyerhaeuser Company by deed from Essie Cherry et al., dated July 14, 1967 and recorded in the Bertie County Registry in Deed Book 549 Page 346, same also being a corner of other lands of Weyerhaeuser Company as described in Deed Book 394, Page 355 and Map Book 1, at Page 157, in the Bertie County Registry, and runs thence North 74°13'07" West 337.12 feet to an iron pipe; thence North 79°40'20" West 277.40 feet to an iron pipe, the point and place of TRUE BEGINNING, same being in the northern line of certain lands of East Carolina Environmental, Inc., known as the Jaines Cherry et al. Tract as described in Deed Book 716, Page 677 and in Plat Cabinet B, Slide 36, in the Bertie County Registry; thence with the northern line of East Carolina Environmental, Inc., the following courses and distances: (1) North 84°43'15" West 391.36 feet to an iron pipe, (2) North 22°17'15" West 121.72 feet to an iron pipe, (3) North 85°33'14" West 583.63 feet to an iron pipe, and (4) South 64°25'58" West 1,004.00 feet to a two inch aluminum monument, also a corner of other lands of East Carolina Environmental, Inc. as described in Deed Book 704, Page 315 and in Plat Cabinet A, Slides 1094 and 1095 and in Plat Cabinet B, Slide 28, in the Bertie County Registry; thence with the eastern line of East Carolina Environmental, Inc., the following courses and distances: (1) North 01°56'52" East 151.04 feet to an iron pipe, a control corner, and (2) North 27°25'52" East 1,563.17 feet to an iron pipe painted yellow, another control corner marking the line of other lands of East Carolina Environmental, Inc., as described in Deed Book 706, Page 898 and in Plat Cabinet A, Slide 1121, in the Bertie County Registry; thence with the southern line of lands of East Carolina Environmental, Inc., the following courses and distances: (1) North 79°26'51" East 277.19 feet to an iron rebar in stump, (2) North 71°34'13" East 752.39 feet to an iron rebar next to an iron pipe, and (3) North 67°13'16" East 331.11 feet to an iron rebar, same being a point marking a division line of the Essie Cherry Tract as conveyed to Weyerhaeuser Company in Deed Book 549, Page 346, in the Bertie County Registry; thence with a new line of Weyerhaeuser Company, South 03°06'39" West, 1,718.28 feet to an iron pipe, the point and place of TRUE BEGINNING, containing 50 acres more or less and being the western 50 acres of the Essie Cherry Tract as conveyed to Weyerhaeuser Company in Deed Book 549, Page 346, in the Bertie County Registry. The above description is taken from that certain survey entitled "Survey for East Carolina Environmental, Inc.", dated October 18, 1994, and revised and updated on December 11, 1995 by Thomas J. Fields, Registered Land Surveyor, Seal 2906, from the office of James L. Wright, Registered Land Surveyor, Troy, North Carolina, which is recorded in the Bertie County Registry in Plat Cabinet B, Slide 81, Page 1292.

EXHIBIT B**RESERVATIONS AND EXCEPTIONS IN DEED
FROM WEYERHAEUSER COMPANY
TO
EAST CAROLINA ENVIRONMENTAL INC.**

This conveyance is expressly made subject to the following reservations and exceptions:

1. Grantor reserves and retains ownership of the standing timber and forest growing stock, including the future growth of such timber and growing stock (the "Timber") now standing upon the property described in Exhibit A attached to and made a part of this deed (the "Property"), such Timber being scheduled to be cut and removed by Grantor in the ordinary course of Grantor's business in calendar year 2009. Grantee in its sole discretion may require Grantor to cut and remove all or a portion of the Timber on the Property prior to calendar year 2009 upon payment of liquidated damages pursuant to Paragraph 12 of that certain Purchase and Sale Agreement between Grantor and Grantee dated as of January 9th, 1996 (the "Agreement"), the terms and provisions of Paragraph 12 being incorporated herein by reference. If the Timber has not been cut and removed prior to calendar year 2009, Seller shall cut and remove it during that year, and no liquidated damages are due from Grantee to Grantor for cutting and removal of such Timber during calendar year 2009. If Grantor shall not have cut and removed such Timber by December 31, 2009, Grantor shall have no further right or interest in such Timber or any regrowth.

2. Grantor reserves and retains ownership of oil and natural gas located beneath the Property subject to the provisions of Paragraph 13 of the Agreement, the terms and provisions of Paragraph 13 being incorporated herein by reference. Notwithstanding such retention and reservation of oil and natural gas by Grantor, Grantor agrees that all exploration, drilling and extraction shall be performed by it on lands of Grantor, and Grantor shall conduct no such activities upon the Property. Grantor agrees to indemnify and save Grantee harmless from loss for any damage to the Property or to the sanitary landfill operated by Grantee caused by the exercise of Grantor's rights to explore for, drill, and extract oil and natural gas from beneath the Property.

3. By the acceptance of this deed, Grantee agrees to share equally with Grantor any net royalties or revenues realized from the sale of minerals extracted from the Property excepting oil and natural gas (which Grantor has reserved), and excepting topsoil, sand, clay, and gravel which Grantee extracts from and uses on the Property or Grantee's adjacent property. Grantee is under no obligation whatsoever to mine or excavate for such minerals, inasmuch as Grantee's sole purpose in acquiring this Property is for use as a buffer zone for Grantee's existing sanitary landfill and as a possible expansion site for such sanitary landfill. Grantee may excavate the Property for landfill purposes after Grantor has cut and removed the Timber as provided above. If minerals present on the Property prior to the date of this deed (other than oil, natural gas, topsoil, sand, clay and gravel) are discovered in the course of Grantee's excavation, and Grantee deems it economically feasible

to mine and extract, or to arrange for third parties to mine and extract, the minerals on the Property (excluding oil, natural gas, topsoil, sand, clay and gravel), Grantee agrees to share any royalties or revenues from the sale of such minerals net of Grantee's reasonable expenses incurred therein, if any, with Grantor on a fifty-fifty (50-50) basis. If Grantee violates the foregoing conditions applicable to topsoil, sand, clay and gravel and fails to use the same on the Property or on Grantee's adjacent property but instead commercially develops and sells such items, Grantor shall be entitled to royalties or revenues from the sale of such items net of Grantee's reasonable expenses incurred therein, if any, on a fifty-fifty (50-50) basis. Grantor and Grantee hereby agree that the covenants set out in this Paragraph 3 of this Exhibit B shall be a covenant running with the land and shall be binding upon Grantee and any successor in title to the Property conveyed herein.

BOOK 716 PAGE 677

PREPARED BY W. W. PRITCHETT, JR., POST OFFICE DRAWER 100,
WINDSOR, NORTH CAROLINA 27983

MAIL AFTER RECORDING TO: East Carolina Environmental, Inc.,
771 Corporate Drive, Suite 1000, Lexington, Kentucky 40503

STATE OF NORTH CAROLINA
COUNTY OF BERTIE

THIS DEED, made this the 26th day of December, 1994, by
and between James Waldo Cherry and wife, Jean White Cherry,
Alonzo R. Cherry, a married person living separate and apart
from his wife, Deborah C. Spencer and husband, Steve
Spencer, and Cynthia Cherry, unmarried, parties of the first
part, and East Carolina Environmental, Inc., a corporation
organized under the laws of the State of North Carolina,
whose mailing address is 771 Corporate Drive, Suite 1000,
Lexington, Kentucky 40503, party of the second part:

WITNESSETH: That for and in consideration of the sum
of Ten Dollars and other considerations in hand paid by the
party of the second part to the parties of the first part,
receipt of which is hereby acknowledged, the said parties of
the first part have bargained, sold and conveyed and by
these presents do bargain, sell and convey unto the said
party of the second part and its successors and assigns, the
following described land, to-wit:

That certain tract or parcel of land containing 100.43
acres, located in Snakebite Township, Bertie County, North
Carolina, and being more particularly described on a map
drawn by Thomas J. Fields, R.L.S., dated October 18, 1994,
recorded in Plat Cabinet B, Page 36 of the Bertie County

\$452.00 N. C. Excise Tax

Stamp attached and cancelled

Received

2

Public Registry, which is referred to and incorporated herein for further description.

TO HAVE AND TO HOLD the aforesaid lands with all rights and privileges thereunto belonging or in anywise appertaining unto the said party of the second part and its successors and assigns, in fee simple forever.

And the said parties of the first part for themselves, their heirs and personal representatives covenant to and with the said party of the second party and its successors and assigns, that they are seized of said lands in fee simple and have a good right to convey the same in fee simple; that the said lands are free and clear of all encumbrances, SAVE AND EXCEPTING rights of ways for highways and public utilities and ad valorem taxes for the year 1994 (which will be pro-rated to closing) and subsequent years, the life estate in the property of Essie L. Cherry, widow and that they will forever warrant and defend the title to the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals, this the day and year first above written.

James Waldo Cherry (SEAL)
James Waldo Cherry

Jean White Cherry (SEAL)
Jean White Cherry

BOOK 716 PAGE 679

Alonzo R. Cherry (SEAL)
Alonzo R. Cherry

Debora C. Spencer (SEAL)
Debora C. Spencer

Steven Spencer (SEAL)
Steven Spencer

Cynthia Cherry (SEAL)
Cynthia Cherry

North Carolina
STATE OF VIRGINIA

COUNTY/CITY OF Bertie

I, William W. Pritchett, Jr., Notary Public, for said county and state, do hereby certify that James Waldo Cherry and wife, Jean White Cherry, this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the 26th day
December
of November, 1994.

William W. Pritchett, Jr.
Notary Public

My Com. Expires: 9-28-1997

(SEAL) WILLIAM W. PRITCHETT, JR.
Notary Public
Bertie County, NC

North Carolina
STATE OF ~~VIRGINIA~~

COUNTY/CITY OF Bertie

I, William W. Pritchett, Jr., Notary Public, for said county and state, do hereby certify that Alonzo R. Cherry, a married person living separate and apart from his wife, this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the 26th day of ~~November~~ December, 1994.

William W. Pritchett, Jr.
Notary Public

My Com. Expires: 9-28-1997.
(SEAL) WILLIAM W. PRITCHETT, JR.
Notary Public
Bertie County, NC

North Carolina
STATE OF ~~VIRGINIA~~

COUNTY/CITY OF Bertie

I, William W. Pritchett, Jr., Notary Public, for said county and state, do hereby certify that Debora C. Spencer and husband, Steve A. Spencer, this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the 26th day of ~~November~~ December, 1994.

William W. Pritchett, Jr.
Notary Public

My Com. Expires: 9-28-1997.
(SEAL) WILLIAM W. PRITCHETT, JR.
Notary Public
Bertie County, NC

STATE OF ~~VIRGINIA~~ ^{North Carolina}
COUNTY ~~OF~~ OF Bertie

I, William W. Pritchett, Jr., Notary Public, for said county and state, do hereby certify that Cynthia Cherry, unmarried, this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the 26th day of December, 1994.

William W. Pritchett, Jr.
Notary Public

My Com. Expires: 9-28-1997.
(SEAL)

WILLIAM W. PRITCHETT, JR.
Notary Public
Bertie County, NC

/u/usr/william/deeds1/CherryEast/jah/94-1-619

NORTH CAROLINA BERTIE COUNTY
The foregoing certificate (s) of William W. Pritchett, Jr.
W. P. is (are) certified to be correct.
This instrument was presented for registration and recorded
in the office in Book 716, Page 627
This 4 day of Jan, 1995 at 4:09 o'clock P. M.
Brenda S. White
Register of Deeds

Assistant / Deputy

706 PAGE 898

PREPARED BY PRITCHETT, COOKE & BURCH, POST OFFICE DRAWER
100, WINDSOR, NORTH CAROLINA 27983

MAIL AFTER RECORDING TO: East Carolina Environmental, Inc.
9431 U.S. Route 60, Ashland, KY 41102-9527

STATE OF NORTH CAROLINA

COUNTY OF BERTIE

THIS DEED, made this the 2nd day of December, 1993, by and between Teresa Smallwood, unmarried, Naomi Cherry Taylor and husband Clarence Taylor, Joanna Pugh Holley and husband Johnny Holley, parties of the first part, and East Carolina Environmental, Inc., a corporation organized under the laws of the State of North Carolina, whose mailing address is 9341 U.S. Route 60, Ashland, KY 41102-9527, party of the second part:

WHEREAS Mattie C. Smallwood died intestate a resident of Bertie County, North Carolina on October 28, 1992, and

WHEREAS at Mattie C. Smallwoods death she was survived by her only child and sole heir at law, Teresa Smallwood, now therefore:

WITNESSETH: That for and in consideration of the sum of Ten Dollars and other considerations in hand paid by the party of the second part to the parties of the first part, receipt of which is hereby acknowledged, the said parties of the first part have bargained, sold and conveyed and by these presents do bargain, sell and convey unto the said party of the second part and its successors and assigns, the following described land, to-wit:

\$188.00 N. C. Excise Tax

Stamp attached and cancelled

Received
MAY 2005
Waste
Management

4

That certain tract of land situate in Snakebite Township, Bertie County, North Carolina, more particularly described as follows:

Bounded on the North by the lands of Hubert Cherry, on the South by the lands of Weyerhaeuser, on the West by the lands of East Carolina Environmental, Inc., and being more particularly described on a survey prepared by Ahoskie Surveying Company, dated November 19, 1993 and Entitled "Boundary Survey of Property known as the Pauline Cherry Tract for East Carolina Environmental, Inc.", said survey being recorded in Plat Cabinet A Page 121, in the Office of the Register of Deeds of Bertie County, North Carolina, containing 41.78 acres more or less.

Save and except a Cemetery lot containing 0.014 acre, as shown on said map, together with Right of Way for Ingress, Egress and Maintenance of said Cemetery over an existing dirt path.

TO HAVE AND TO HOLD the aforesaid lands with all rights and privileges thereunto belonging or in anywise appertaining unto the said party of the second part and its successors and assigns, in fee simple forever.

And the said parties of the first part for themselves, their heirs and personal representatives covenant to and with the said party of the second party and its successors and assigns, that they are seized of said lands in fee simple and have a good right to convey the same in fee simple; that the said lands are free and clear of all encumbrances, SAVE AND EXCEPTING rights of ways for highways and public utilities and ad valorem taxes for the year 1993 and subsequent years; and that they will forever warrant and defend the title to the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals, this the day and year first above written.

Teresa Smallwood (SEAL)
Joanna Pugh Holley (SEAL)
Johnny Holley (SEAL)
Naomi Cherry Taylor (SEAL)
Clarence Taylor (SEAL)

STATE OF NORTH CAROLINA

COUNTY OF BERTIE

I, Stephanie B. Irvine, Notary Public, for said county and state, do hereby certify that Teresa Smallwood, this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the 2nd day of December, 1993.

STEPHANIE B. IRVINE
 Notary Public
 Bertie County, NC

Stephanie B. Irvine
 Notary Public

My Com. Expires: 9/28/97.
 (SEAL)

STATE OF NORTH CAROLINA

COUNTY OF Bertie

I, Stephanie B. Irvine, Notary Public, for said county and state, do hereby certify that Joanna Pugh Holley

and husband Johnny Holley, this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the 2nd day of December, 1993.

STEPHANIE B. IRVINE
Notary Public
Bertie County, NC

Stephanie B. Irvine
Notary Public

My Com. Expires: 9/28/97.
(SEAL)

STATE OF NORTH CAROLINA

COUNTY OF Bertie

I, Stephanie B. Irvine, Notary Public, for said county and state, do hereby certify that Naomi Cherry Taylor and husband Clarence Taylor, this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the 2nd day of December, 1993.

STEPHANIE B. IRVINE
Notary Public
Bertie County, NC

Stephanie B. Irvine
Notary Public

My Com. Expires: 9/28/97.
(SEAL)

/usr/patty/EastCarol

NORTH CAROLINA, BERTIE COUNTY.

The foregoing certificate (s) of Stephanie B. Irvine
N.P. is (are) certified to be correct.

This instrument was presented for registration and recorded

in the office in Book 706, Page 898

This 2 day of December, 1993 at 2:44 o'clock P. M.

Belinda S. White
Register of Deeds

By: Margaret R. Bond
Assistant/Deputy

PREPARED BY LARS P. SIMONSEN, POST OFFICE DRAWER 100, WINDSOR, N.C.
27983

MAIL AFTER RECORDING TO: Lars P. Simonsen, Post Office Drawer 100,
Windsor, North Carolina 27983

STATE OF NORTH CAROLINA

COUNTY OF BERTIE

THIS DEED, made this the 6th day of August, 1993, by and between Addington Environmental, Inc., a Kentucky corporation, with its principal place of business at 771 Corporate Drive, Suite 900, Lexington, Kentucky 40503, party of the first part, and East Carolina Environmental, Inc., 771 Corporate Drive, Suite 1000, Lexington, Kentucky 40503, party of the second part:

NO CONSIDERATION

WITNESSETH: That for and in consideration of the sum of Ten Dollars and other considerations in hand paid by the party of the second part to the party of the first part, receipt of which is hereby acknowledged, the said party of the first part has bargained, sold and conveyed and by these presents does bargain, sell and convey unto the said party of the second part and its successors and assigns, the following described land, to-wit:

That certain tract or parcel of land located in Snakebite Township, Bertie County, North Carolina, and containing plus or minus 491.27 acres, and being bounded on the West by N.C.S.R. 1225, on the Southwest by the lands now or formerly owned by Mildred P. Bazemore, on the South by S.R. 1221 and the lands now or formerly owned by C. Winslow Powell, on the East by the lands now or formerly owned by Weyerhaeuser Company, the lands now or formerly owned by the Essie Cherry Heirs, and the lands now or formerly owned by T. A. and E. E. Cherry, and bounded on the Northeast by the lands now or formerly owned by Willie W. Tripp, and being more particularly described on a map prepared by Albemarle Land Services, Inc. dated May 14, 1993 and entitled "A Map of a Boundary Survey of a Tract of Spruill Farms, Inc.. Property of Addington Environmental, Inc., 771 Corporate Drive, Suite 900, Lexington, Kentucky 40503, Bertie County Landfill." Said map is recorded in Plat Cabinet A, 9436 1094 and 9436 1095, of the Bertie County Public Registry, and reference is made to said map for further description.

Received

2005

Waste

Management

PREPARED BY WILLIAM W. PRITCHETT, JR., POST OFFICE DRAWER
100, WINDSOR, NORTH CAROLINA 27983

MAIL AFTER RECORDING TO: East Carolina Environmental, Inc.,
771 Corporate Drive, Suite 1000, Lexington, Kentucky 40503

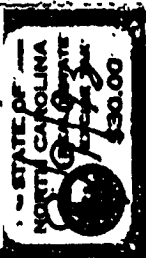
STATE OF NORTH CAROLINA

COUNTY OF BERTIE

THIS DEED, made this the 3rd day of September, 1993, by
and between Winslow C. Powell and wife, Mary Ann Powell and
Linwood Earl Powell, unmarried, parties of the first part,
and East Carolina Environmental, Inc., a corporation
organized under the laws of the State of Kentucky, whose
mailing address is 771 Corporate Drive, Suite 1000,
Lexington, Kentucky 40503, party of the second part:

WITNESSETH: That for and in consideration of the sum
of Ten Dollars and other considerations in hand paid by the
party of the second part to the parties of the first part,
receipt of which is hereby acknowledged, the said parties of
the first part have bargained, sold and conveyed and by
these presents do bargain, sell and convey unto the said
party of the second part and its successors and assigns, the
following described land, to-wit:

All that certain lot or parcel of land situated in
Snakebite Township, Bertie County, North Carolina, and more
particularly described as follows: Situate at the
intersection of State Road No. 1221 and 1244, and more
particularly described as Beginning at a corner in the
intersection of the aforesaid roads at the edge of the right
of way and running thence along State Road No. 1244, North 4
degrees 15 minutes West 200 feet; thence North 84 degrees 34
minutes East 212.50 feet; thence South 4 degrees 15 minutes
East 200 feet to the edge of the right of way of S. R. 1221;
thence along S. R. 1221, 212.50 feet to the beginning,
subject however to the easements for right of way and site
area of the State Highway Commission as appears of record
and shown on the survey dated October 18, 1973, by L. T.
Livermon, Jr. Reference is also made to deed dated June 24,



Received

1

1985, from Willie Rascoe, Jr. and wife, Lillie J. Rascoe to Winslow C. Powell and son, Linwood Earl Powell, duly recorded in Deed Book 650, Page 166, Bertie County Registry.

TO HAVE AND TO HOLD the aforesaid lands with all rights and privileges thereunto belonging or in anywise appertaining unto the said party of the second part and its successors and assigns, in fee simple forever.

And the said parties of the first part for themselves, their heirs and personal representatives covenant to and with the said party of the second party and its successors and assigns, that they are seized of said lands in fee simple and have a good right to convey the same in fee simple; that the said lands are free and clear of all encumbrances, SAVE AND EXCEPTING rights of ways for highways and public utilities and ad valorem taxes for the year 1993 and subsequent years, and that they will forever warrant and defend the title to the same against the lawful claims of all persons whomsoever.

Sellers may retain possession and use of the property until 5:00 o'clock p.m., November 8, 1993.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals, this the day and year first above written.

Winslow C. Powell (SEAL)
Winslow C. Powell

Mary Ann Powell (SEAL)
Mary Ann Powell

Linwood Earl Powell (SEAL)
Linwood Earl Powell

STATE OF NORTH CAROLINA
COUNTY OF BERTIE

I, William W. Pritchett, Jr., Notary Public, for said county and state, do hereby certify that Winslow C. Powell and wife, Mary Ann Powell and Linwood Earl Powell, unmarried, this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the 6th day of September, 1993.

WILLIAM W. PRITCHETT, JR.
Notary Public

William W. Pritchett, Jr.
Notary Public

My Com. Expires: 9-28-99
(SEAL)

/u/ser/william/deeds1/PowEast/Job/93-1-563

NORTH CAROLINA, BERTIE COUNTY

The foregoing certificate (s) of William W. Pritchett, Jr. is (are) certified to be correct.

This instrument was presented for registration and recorded in the office in Book 705 Page 49

This 9 day of Sept. 1993 at 10:55 o'clock A. M.

Barbara H. Mizelle
Register of Deeds



NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

FACILITY PERMIT NO: 08-03

Part 2-Permit to Operate

Date of Original Issue: October 8, 1993

Permit Amendment Date: September 23, 2003
(Cell 10)

Permit Modification Date: February 19, 2004

New Facility Permit: June 17, 2005

(New Rate, Size)

Page 1

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL
RESOURCES

DIVISION OF WASTE MANAGEMENT

1646 Mail Service Center,
Raleigh, NC 27699-1646

MUNICIPAL SOLID WASTE LANDFILL FACILITY PERMIT

Republic Services of North Carolina, LLC., a wholly owned subsidiary
Of Republic Services, Inc. of Ft. Lauderdale, Fl., d.b.a.

EAST CAROLINA ENVIRONMENTAL
is hereby issued a PERMIT to OPERATE a
MUNICIPAL SOLID WASTE LANDFILL FACILITY AND
DISPOSAL CELLS 3 through 10

located on NCSR 1225 (Republican Road), north of Windsor, Bertie County, North Carolina, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The facility is located and described by the legal description of the site or the property map contained within the approved application.

Donald J. Barber, Supervisor
Permitting Branch
Solid Waste Section

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone 919-508-8400 \ FAX 919-733-4810 \ Internet <http://wastenotnc.org>

ATTACHMENT 3

Approved Documents

PART I: GENERAL FACILITY CONDITIONS

1. Facility Permit No: 08-03. Part 2-PTO, Original Permit October 8, 1993
2. Facility Permit No: 08-03. Part 2-PTO, Permit Modification, December 2, 1994
3. Facility Permit No: 08-03. Part 2-PTO, Permit Renewal, April 18, 1997
4. Facility Permit No: 08-03. Part 2-PTO, Permit Amendment, November 8, 2000
5. Facility Permit No: 08-03. Part 2-PTO, Permit Modification, Sludge Solidification, June 3, 2003.

PART II: MUNICIPAL SOLID WASTE LANDFILL CONDITIONS

1. *Technical Specification for Alternative Protective Cover. Construction of Cell NO. 10, East Carolina Regional MSW Landfill. Republic Services of North Carolina, LLC, Bertie County, North Carolina.* Prepared by Hodges, Harbin, Newberry & Tribble, Inc. Macon, Ga. November 2002. Includes revised Sheets 2 and 4 of 7, PTC Drawings.
2. *Construction Quality Assurance Report. Cell 10. East Carolina Regional MSW Landfill, Bertie County, North Carolina.* Prepared for Hodges, Harbin, Newberry & Tribble, Inc. Macon, Ga. Prepared by: Bunnell-Lammons Engineering, Inc. Greenville, SC. BLE Project Number J03-1001-41.
Volume 1- Structural Fill, Subgrade Preparation and Compacted Clay Liner Construction. August 27, 2003
Volume 2-Geomembrane Installation. September 10, 2003
Volume 3-Leachate Collection and Protective Cover Layer Installation. September 12, 2003.
3. *Permit to Construct. Expanded East Carolina Regional MSW Landfill. Bertie County, North Carolina. For Republic Services of North Carolina, LLC. April 2004.* Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA

PART III: CONSTRUCTION AND DEMOLITION LANDFILL CONDITIONS
(NOT APPLICABLE)

PART IV: LAND CLEARING AND INERT DEBRIS LANDFILL CONDITIONS
(NOT APPLICABLE)

PART V: YARD WASTE CONDITIONS
(NOT APPLICABLE)

PART VI: MISCELLANEOUS TREATMENT AND PROCESSING FACILITIES CONDITIONS

1. Waste Solidification Plan. *Expanded East Carolina Regional MSW Landfill Facility Plan. Waste Solidification Process Modification. Republic Services of North Carolina, LLC. Bertie County, North Carolina.* Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. March 27, 2003.

ATTACHMENT 4

Conditions of Permit to Operate

PART I: GENERAL FACILITY CONDITIONS

1. This permit shall be reviewed on June 17, 2010 pursuant to 15A NCAC 13B.0201(e). No later than December 17, 2010, East Carolina Environmental shall submit to the Solid Waste Section, for review, an amendment to the permit prepared in accordance with 15A NCAC 13 B .1603(a)(2), or a permit modification prepared in accordance with 15A NCAC 13 B .1603(a)(3), as applicable.
2. In the event of conflicts between this Permit to Operate and previously issued conditions, the conditions of this Permit to Operate shall supersede previously issued conditions.
3. The solid waste management units within this facility shall conform to all operating procedures described in the approved plans, 15A NCAC 13B, and the conditions specified herein.
4. Additional conditions and revision of the approved documents or changes during the operation of the landfill require approval by the North Carolina Solid Waste Section.
5. On or before August 1 of each year, East Carolina Environmental shall report the amount of waste received at this facility and disposed of in the landfill units to the Solid Waste Section, on forms prescribed by the Section. The reporting period shall be for the previous year, beginning July 1 and ending on June 30. This report shall include the following information:
 - a. The tons of waste received and disposed of, compiled on a monthly basis by county, city, or transfer station of origin and by specific waste type if diverted to a specific unit within the permitted facility.
 - b. A physical measurement of the volume of air space used in the MSW cells shall be performed during the second quarter of the calendar year. The volume in cubic yards, and date of the measurement shall be included in the report.
 - c. The amount of waste, in tons, from scale records, disposed in the MSW cells since October 8, 1993 through the date of the annual volume determination.
 - d. The completed report shall be forwarded to the Regional Waste Management Specialist for the facility. A copy of the completed report shall be forwarded to the County Manager of each county from which waste was received.

6. Ground water quality at this facility is subject to the "Classifications and Water Quality Standards Applicable To The Groundwater of North Carolina", 15A NCAC 2L. This includes, but is not limited to, provisions for detection monitoring, assessment, and corrective action.

PART II:

MUNICIPAL LANDFILL UNIT SPECIFIC CONDITIONS

GENERAL CONDITIONS

1. This permit approves the continued operation of Phases I, 2 and 3, Cells 3-10 of the municipal solid waste landfill unit as well as the on-site environmental management and protection facilities as described in the approved plans.
2. This permit is for operational approval of a permitted disposal capacity of approximately 8,267,000 cubic yards, consistent with the final contours as shown on sheet 15 of Document 3, and Document 8, Attachment 1. The facility has a total gross design capacity of approximately 24,200,000 cubic yards. Gross capacity is the volume calculated from the top of protective cover through the top of the final cover, consistent with the approved contours. Approximately 8,267,000 cubic yards has been constructed and permitted for phases 1, 2 and 3. The remaining gross volume of the facility is approximately 15,933,000 cubic yards (Phases IV-VII).

The landfill will be constructed in five additional phases, Phases IV-VII. Construction of cells within each phase shall be in accordance with the Division approved plans. This permit to operate does not approve operation of phases or cells outside of Phase III, Permit to Operate issued September 23, 2003.

3. This facility is permitted for an average annual disposal rate of approximately 584,000 tons. This corresponds to an approximate disposal rate of 1600 tons per day based on 365 operating days per year, with a maximum variance of 10% facility total within any one annual reporting year as set forth in Document 9, Part II, Attachment 1. The landfill is permitted to receive solid waste generated by and in the counties of North Carolina, consistent with local government waste management plan(s), with local government approval and contract and the franchise agreement, and as defined in 15A NCAC 13B .0101(36), except where prohibited by North Carolina General Statutes Article 9 of Chapter 130A, and rules adopted by the Commission for Health Services.

MONITORING AND REPORTING

4. Ground water monitoring at this unit shall be as prescribed by the appropriate requirements of 15A NCAC 13B .1630-.1637 and the approved monitoring plan.
5. A readily accessible unobstructed path shall be cleared and maintained so that four-wheel drive vehicles may access monitoring well locations at all times.

6. A field log book which details all development, sampling, repair, and all other pertinent activities associated with each monitoring well and all sampling activities associated with each surface water and leachate sampling location shall be kept as part of the permanent facility record.
7. Records of all ground-water, surface water and leachate analytical data shall be kept as part of the permanent facility record.
8. Ground water monitoring wells and surface water sampling locations must be sampled for Appendix I constituents at least semi-annually according to the specifications outlined in the approved water quality monitoring plan and the current policies and guidelines of the Section in effect at the time of sampling.
9. Reports of the analytical data for each water quality sampling event shall be submitted to the Section within 60 days of the respective sampling event. Analytical data shall be submitted in a manner prescribed by the Section.
10. The four independent samples which comprise the initial baseline sampling event shall be collected from each new ground water monitoring well and the report shall be submitted to the Section within twelve months after issuance of the Permit to Operate.
11. Untreated leachate shall be sampled and analyzed at least semi-annually concurrently with the ground and surface water sampling. The leachate shall be analyzed for all Appendix I constituents, pH, specific conductance, BOD, COD, nitrates, sulfates, and phosphates. Test results shall be submitted to the Section along with ground and surface water test results. In the event leachate is recirculated, additional leachate sampling may be required.

OPERATIONAL CONDITIONS

12. The landfill unit shall conform to all operating requirements described in the approved plans, 15A NCAC 13B .1626, and the conditions specified herein.
13. The use of tarps as alternative daily cover is approved. Use shall be consistent with prior approved plans. The use of different alternative daily cover requires approval, prior to implementation, by the Solid Waste Section. Requests for alternative daily cover approval must include a comprehensive use and demonstration for the effectiveness plan developed according to Section guidelines and consistent with the approved plan. Plans which are approved by the Section will be incorporated into, and made a part of, the approved documents found in Attachment 3.
14. The use of leachate recirculation as a leachate management tool is approved. Leachate recirculation will be conducted according to the approved plan, Document 1, Attachment 1.
15. The MSWLF unit is permitted to co-dispose of wastewater treatment sludge generated within the facility's approved service area, and subject to the terms and procedures of the approved plan.

16. Closure or partial closure of any MSWLF unit shall be in accordance with the Closure Plans described in the approved plans and 15A NCAC 13B .1629. Final Closure Plans shall be submitted to the Division at least 90 days prior to implementation. Closure and Post-closure plans, including financial instruments shall be updated annually pursuant to 15A NCAC 13 B .1628.

PART III:

CONSTRUCTION AND DEMOLITION DEBRIS UNIT SPECIFIC CONDITIONS

PART IV:

LAND CLEARING AND INERT DEBRIS UNIT SPECIFIC CONDITIONS

PART V:

YARD WASTE UNIT SPECIFIC CONDITIONS

PART VI:

MISCELLANEOUS TREATMENT AND PROCESSING UNIT SPECIFIC CONDITIONS

(Specify Unit Type)

Liquid and Sludge Solidification Processing Unit

1. Operations shall be in accordance with Document 1, Part VI, Attachment 3 and the following conditions.
2. Approval for Operation shall be for a one-year period beginning June 3, 2003. The solidification process shall be reviewed on an annual basis. The facility shall meet any update to the rules or policies of the Section in place at the time of the renewal. The operational approval shall automatically be renewed unless the owner is notified in writing by the Section.
3. Records of the following, at a minimum, shall be maintained; Waste material description, solidification agent(s) utilized, waste determination records, tons of waste and solidification agents disposed, date and time of receipt of liquid or sludge waste, date and time of solidification. Records shall be kept in the facility operating record and made available to the Section on request.
4. Liquid and sludge waste shall be processed within 24 hours of receipt. Drums may be stored for 24 hours before processing. Liquid waste shall not be stored, unprocessed, over the weekend.
5. Bulking agents shall be stored on an impervious surface. Dust and leachate formation shall be prevented.
6. Petroleum contaminated soils shall not be used as bulking agents.
7. All liquids, sludge and bulking agents shall be weighed and reported as solid waste for purposes of the Solid Waste Annual Report reporting requirements.
8. Spills must be cleaned up immediately.
9. No odors, vectors or nuisances are allowed in the processing area.
10. Spills that are not to the impervious surface, spills that are not cleaned in a timely manner, vector, odors, incomplete records, accepting wastes or bulking agents that the facility is not permitted to receive, shall be among the minimum reasons that the processing may be ordered by the facility waste management specialist to cease.

APPROVED
DIVISION OF WASTE MANAGEMENT
SOLID WASTE SECTION

DATE 6-17-05 BY JME
0803 PTC
AIP dx 4

SVA NCC No. 170500343
Coordinated and Administered by:
Lucy Strange
Chicago Title Insurance Company
Southern VA National Commercial Center
830 East Main St., 16th Floor
Richmond, Virginia 23219
(800) 552-4142 / (804) 521-5756
(804) 521-5756 Facsimile
www.svancc.com

ALTA COMMITMENT
CHICAGO TITLE INSURANCE COMPANY
P.O. Box 8046 • Greenville, NC 27835-8046
Phone (252) 758-0160 • Fax (252) 758-0360

01
NBV #: 170500343

THIS COMMITMENT REPLACES COMMITMENT NO. GV05-0020419 PREVIOUSLY ISSUED

SCHEDULE A

Number
GV05-0020419
Revision #1

Effective Date
May 12, 2005
at 10:15 A.M.

1. Policy or Policies to be issued:

OWNER'S: TO BE DETERMINED
Proposed Insured:

REPUBLIC SERVICES OF NORTH CAROLINA, LLC A NORTH CAROLINA LIMITED LIABILITY COMPANY

LOAN: NOT APPLICABLE
Proposed Insured:

NOT APPLICABLE

2. The estate or interest in the land described or referred to in this Commitment and covered herein is a fee simple, and title thereto is at the effective date hereof vested in:

REPUBLIC SERVICES OF NORTH CAROLINA, LLC SUCCESSOR BY MERGER WITH EAST CAROLINA ENVIRONMENTAL, INC. - AS TO TRACTS 1, 2, 3, 4, AND 5 and REPUBLIC SERVICES OF NORTH CAROLINA, LLC - AS TO TRACT 6

3 The land referred to in the Commitment is described in Schedule C.

SCHEDULE B - Section 1

The following are the requirements to be complied with:

1 Instrument(s) creating the estate or interest to be insured must be approved, executed and filed for record, to wit:

(a) ~~Cancellation of the Articles of Merger of East Carolina Environmental, Inc. and Republic Services of North Carolina, LLC~~
[Signature]

None required

2. Payment of the full consideration to, or for the account of, the grantors or mortgagors.

3 Payment of all taxes, charges, assessments, and owners' association dues against subject premises which are due and payable.

4 Receipt of properly executed Chicago Title Insurance Company Owner/Seller/Contractor Affidavit and Indemnification (Rev. August 2002) or other documentation providing comparable assurances. NOTE: Subordination of potential liens is required from any person or entity contracting directly with the owner to perform or furnish labor, services or materials for improvements currently in process or to be financed by the loan secured by the deed of trust to be insured.

5. Cancellation, satisfaction or release of the following documents:

(a) Deed of Trust to Larry Overton, Trustee for The First National Bank of Boston, filed for record in Book 706, page 160 and amended in Book 720, page 745, securing \$50,000,000.00. (Applies to Tracts 1 and 2)

(b) Deed of Trust in favor of East Carolina Farm Credit, ACA, filed for record in Book 690, page 687 and re-recorded in Book 693, page 690, securing an amount not to exceed \$100,000.00. (Applies to Tract 6)

**A.L.T.A. COMMITMENT
CHICAGO TITLE INSURANCE COMPANY
SCHEDULE B - continued**

Number GV05-0020419
 Revision #1

SCHEDULE B - Section 2

Schedule B of the policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for the value of record the estate or interest or mortgage thereon covered by this Commitment.

THE FOLLOWING EXCEPTIONS APPLY TO TRACTS 1, 2, 3, 4, 5, AND 6:

2. Taxes, dues and assessments for the year 2005, and subsequent years, not yet due and payable.
3. Any discrepancies, conflicts, access, shortages in area or boundary lines, encroachments, overlaps, setbacks, easements or claims of easements, riparian rights, and title to land within roads, ways, railroads, watercourses, burial grounds, marshes, dredged or filled areas or land below the mean highwater mark or within the bounds of any adjoining body of water, or other matters which would be revealed by a current inspection and accurate survey of the land.

THE FOLLOWING EXCEPTION APPLIES TO TRACT 1:

4. Agreement recorded in Book 695, page 666 and rerecorded in Book 704, page 258.

THE FOLLOWING EXCEPTIONS APPLY TO TRACTS 1 AND 2:

5. Easements, setback lines and any other matters shown on plat recorded in Plat Cabinet A, Page 1094 And 1095 and Plat Cabinet B, page 28.
6. Solid Waste Permit(s) to East Carolina Environmental, Inc. recorded in Book 704, page 407.
7. Title to that portion of the land within the bounds of burial grounds, together with right of ingress, egress and regress thereto.

THE FOLLOWING EXCEPTION APPLIES TO TRACT 3:

8. Easements, setback lines and any other matters shown on plat recorded in Plat Cabinet B, page 36.

THE FOLLOWING EXCEPTIONS APPLY TO TRACT 4:

9. Easements, setback lines and any other matters shown on plat recorded in Plat Cabinet B, page 81.
10. Reservation and restrictions in Deed recorded in Book 725, page 655.

THE FOLLOWING EXCEPTIONS APPLY TO TRACT 5:

11. Easements, setback lines and any other matters shown on plat recorded in Plat Cabinet A, page 1121 and Book 438, page 112.
12. Title to that portion of the land within the bounds of burial grounds, together with right of ingress, egress and regress thereto.

C O N T I N U E D

**A.L.T.A. COMMITMENT
CHICAGO TITLE INSURANCE COMPANY
SCHEDULE B - continued**

Number GV05-0020419

THE FOLLOWING EXCEPTIONS APPLY TO TRACT 6:

13. Easements, setback lines and any other matters shown on plat recorded in Plat Cabinet B, page 172 and 379 and Book 438, page 110.
14. Lease evidenced by Memorandum of Lease recorded in Book 804, page 812.

THE FOLLOWING IS/ARE SHOWN FOR INFORMATION ONLY AND DOES/DO NOT CONSTITUTE EXCEPTION/EXCEPTIONS TO THIS POLICY:

Certificate of Assumed Name for Limited Liability Company (LLC) recorded in Book 779, page 997.

NOTE: All terms, provisions, conditions and stipulations of the American Land Title Association Commitment for Title Insurance(1966) are incorporated herein by reference including, but not limited to, the provision that all liability and obligations under this Commitment shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided the failure to issue such policy or policies is not the fault of the Company.

**A.L.T.A. COMMITMENT
CHICAGO TITLE INSURANCE COMPANY
SCHEDULE C**

Number GV05-0020419
 Revision #1

The land referred to in this commitment is described as follows:

Lying and being situate in Bertie County, North Carolina, and being more particularly described as follows:

SEE ATTACHED EXHIBIT "A"

Exhibit "A"

Lying and being situate in Bertie County, North Carolina, and more particularly described as follows:

TRACT 1:

That certain tract or parcel of land located in Snakebite Township, Bertie County, North Carolina, and containing plus or minus 491.27 acres, and being bounded on the West by N.C.S.R. 1225, on the Southwest by the lands now or formerly owned by Mildred P. Bazemore, on the South by S.R. 1221 and the lands now or formerly owned by C. Winslow Powell, on the East by the lands now or formerly owned by Weyerhaeuser Company, the lands now or formerly owned by the Essie Cherry Heirs, and the lands now or formerly owned by T. A. and E. E. Cherry, and bounded on the Northeast by the lands now or formerly owned by Willie W. Tripp, and being more particularly described on a map prepared by Albemarle Land Services, Inc. dated May 14, 1993 and entitled "A Map of a Boundary Survey of a Tract of Spruill Farms, Inc., Property of Addington Environmental, Inc., 771 Corporate Drive, Suite 900, Lexington, Kentucky 40503, Bertie County Landfill." Said map is recorded in Plat Cabinet A, ~~side~~ 1094 and ~~side~~ 1095, of the Bertie County Public Registry, and reference is made to said map for further description.

TRACT 2:

All that certain lot or parcel of land situated in Snakebite Township, Bertie County, North Carolina, and more particularly described as follows: Situate at the intersection of State Road No. 1221 and 1244, and more particularly described as Beginning at a corner in the intersection of the aforesaid roads at the edge of the right of way and running thence along State Road No. 1244, North 4 degrees 15 minutes West 200 feet; thence North 84 degrees 34 minutes East 212.50 feet; thence South 4 degrees 15 minutes East 200 feet to the edge of the right of way of S. R. 1221; thence along S. R. 1221, 212.50 feet to the beginning, subject however to the easements for right of way and site area of the State Highway Commission as appears of record and shown on the survey dated October 18, 1973, by L. T. Livermon, Jr. Reference is also made to deed dated June 24, 1985, from Willie Rascoe, Jr. and wife, Lillie J. Rascoe to Winslow C. Powell and son, Linwood Earl Powell, duly recorded in Deed Book 650, Page 166, Bertie County Registry.

TRACT 3:

That certain tract or parcel of land containing 100.43 acres, located in Snakebite Township, Bertie County, North Carolina, and being more particularly described on a map drawn by Thomas J. Fields, R.L.S., dated October 18, 1994, recorded in Plat Cabinet B, Page 36 of the Bertie County Public Registry, which is referred to and incorporated herein for further description.

C O N T I N U E D

TRACT 4:

That certain parcel lying and being in Snakebite Township, Bertie County, North Carolina and more particularly described as follows:

BEGINNING at an iron pipe being the southeastern corner of that certain 81 acre tract conveyed to Weyerhaeuser Company by deed from Essie Cherry et al., dated July 14, 1967 and recorded in the Bertie County Registry in Deed Book 549 Page 346, same also being a corner of other lands of Weyerhaeuser Company as described in Deed Book 394, Page 355 and Map Book 1, at Page 157, in the Bertie County Registry, and runs thence North $74^{\circ}13'07''$ West 337.12 feet to an iron pipe; thence North $79^{\circ}40'20''$ West 277.40 feet to an iron pipe, the point and place of TRUE BEGINNING, same being in the northern line of certain lands of East Carolina Environmental, Inc., known as the James Cherry et al. Tract as described in Deed Book 716, Page 677 and in Plat Cabinet B, Slide 36, in the Bertie County Registry; thence with the northern line of East Carolina Environmental, Inc., the following courses and distances: (1) North $84^{\circ}43'15''$ West 391.36 feet to an iron pipe, (2) North $22^{\circ}17'15''$ West 121.72 feet to an iron pipe, (3) North $85^{\circ}33'14''$ West 583.63 feet to an iron pipe, and (4) South $64^{\circ}25'58''$ West 1,004.00 feet to a two inch aluminum monument, also a corner of other lands of East Carolina Environmental, Inc. as described in Deed Book 704, Page 315 and in Plat Cabinet A, Slides 1094 and 1095 and in Plat Cabinet B, Slide 28, in the Bertie County Registry; thence with the eastern line of East Carolina Environmental, Inc., the following courses and distances: (1) North $01^{\circ}56'52''$ East 151.04 feet to an iron pipe, a control corner, and (2) North $27^{\circ}25'52''$ East 1,563.17 feet to an iron pipe painted yellow, another control corner marking the line of other lands of East Carolina Environmental, Inc., as described in Deed Book 706, Page 898 and in Plat Cabinet A, Slide 1121, in the Bertie County Registry; thence with the southern line of lands of East Carolina Environmental, Inc., the following courses and distances: (1) North $79^{\circ}26'51''$ East 277.19 feet to an iron rebar in stump, (2) North $71^{\circ}34'13''$ East 752.39 feet to an iron rebar next to an iron pipe, and (3) North $67^{\circ}13'16''$ East 331.11 feet to an iron rebar, same being a point marking a division line of the Essie Cherry Tract as conveyed to Weyerhaeuser Company in Deed Book 549, Page 346, in the Bertie County Registry; thence with a new line of Weyerhaeuser Company, South $03^{\circ}06'39''$ West, 1,718.28 feet to an iron pipe, the point and place of TRUE BEGINNING, containing 50 acres more or less and being the western 50 acres of the Essie Cherry Tract as conveyed to Weyerhaeuser Company in Deed Book 549, Page 346, in the Bertie County Registry. The above description is taken from that certain survey entitled "Survey for East Carolina Environmental, Inc.", dated October 18, 1994, and revised and updated on December 11, 1995 by Thomas J. Fields, Registered Land Surveyor, Seal 2906, from the office of James L. Wright, Registered Land Surveyor, Troy, North Carolina, which is recorded in the Bertie County Registry in Plat Cabinet B, Slide 81.

Page

C O N T I N U E D

Exhibit "A" - Continued
Number GV05-0020419

TRACT 5:

That certain tract of land situate in Snakebite Township, Bertie County, North Carolina, more particularly described as follows:

Bounded on the North by the lands of Hubert Cherry, on the South by the lands of Weyerhaeuser, on the West by the lands of East Carolina Environmental, Inc., and being more particularly described on a survey prepared by Ahooskie Surveying Company, dated November 19, 1993 and Entitled "Boundary Survey of Property known as the Pauline Cherry Tract for East Carolina Environmental, Inc.", said survey being recorded in Plat Cabinet A Page 121, in the Office of the Register of Deeds of Bertie County, North Carolina, containing 41.78 acres more or less.

TRACT 6:

That certain tract of land located in Snakebite Township, Bertie County, North Carolina, containing 43.737 acres, and being more particularly described on a map as Tracts 4 and 5 prepared by John M. Story, R.L.S., dated July 30, 1997, recorded in Plat Cabinet B, Slide 379 of the Bertie County Public Registry.

AMERICAN LAND TITLE ASSOCIATION COMMITMENT — 1966

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY, a corporation of Missouri, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused this Commitment to be signed and sealed as of the effective date of Commitment shown in Schedule A, the Commitment to become valid when countersigned by an authorized signatory.

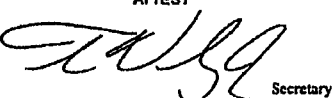
Issued by:
CHICAGO TITLE INSURANCE COMPANY
P.O. BOX 8046
GREENVILLE, NC 27835-8046
(252) 758-0160
(800) 843-5598




Authorized Signatory

CHICAGO TITLE INSURANCE COMPANY
By:


President

By: ATTEST

Secretary

STANDARD EXCEPTIONS FOR OWNER'S POLICY

The owner's policy will be subject to the mortgage, if any, noted under item one of Section 1 of Schedule B hereof and to the following exceptions: (1) rights or claims of parties in possession not shown by the public records; (2) encroachments, overlaps, boundary line disputes, and any matters which would be disclosed by an accurate survey and inspection of the premises; (3) easements, or claims of easements, not shown by the public records; (4) any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records; (5) taxes or special assessments which are not shown as existing liens by the public records.

CONDITIONS AND STIPULATIONS

1. The term "mortgage," when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions, the Exclusions from Coverage and the Conditions and Stipulations of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.



NORTH CAROLINA

Department of The Secretary of State

North County--Registrar of Deeds

Bolinda S. White, Registrar of Deeds

Inst# 13226 Book 040 Page 853

Page: 7 06/09/2005 03:18:04pm

*Bolinda S. White Rtd
By: Sandra P. Clark, Asst.*

To all whom these presents shall come, Greetings:

I, ELAINE F. MARSHALL, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF MERGER

OF

EAST CAROLINA ENVIRONMENTAL, INC.

AND

UPPER PIEDMONT ENVIROMENTAL, INC.

INTO

REPUBLIC SERVICES OF NORTH CAROLINA, LLC ✓

the original of which was filed in this office on the 24th day of April, 2001.



DocumentId: 211136131

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed my official seal at the
City of Raleigh, this 24th day of April, 2001

Elaine F. Marshall

Secretary of State

6/9/2005 FRI 15:47 FAX 0517889421

BARCLAY LEONAL

BOSID: 0518434
Data Filed: 4/24/2001 9:40 AM
Elaine P. Marshall
North Carolina Secretary of State

211099014

State of North Carolina
Department of the Secretary of State

ARTICLES OF MERGER
(Cross-entity Merger*)

Pursuant to North Carolina General Statute Sections 55-11-10(d), 55A-11-09(c), 57C-9A-22, 69-72.5 and 59-1013, as applicable, the undersigned surviving entity does hereby submit the following Articles of Merger as the surviving business entity in a merger between two or more business entities.

1. The name of the surviving entity is Remedy Services of North Carolina, LLC, a (check one) ☐ corporation, ☐ nonprofit corporation, ☐ professional corporation, ☒ limited liability company, ☐ limited partnership, ☐ partnership, ☐ limited liability partnership organized under the laws of North Carolina.
2. The address of the surviving entity is:
Street Address 110 S.E. 6th Street 28th Floor City Fort Lauderdale
State FL Zip Code 33301 County Broward
(If Different) Mailing Address same City _____
State _____ Zip Code _____
3. The name of the merged entity is SEE APPENDIX ATTACHED, a (check one) ☒ corporation, ☐ nonprofit corporation, ☐ professional corporation, ☐ limited liability company, ☐ limited partnership, ☐ partnership, ☐ limited liability partnership organized under the laws of Kentucky.
4. Attached is a copy of the Plan of Merger that was duly approved by each merging business entity or unincorporated entity in the manner required by law.
5. With respect to the surviving entity (check the appropriate response):
 - a. If the surviving entity is a North Carolina corporation or professional corporation:
 - (i) ☐ Shareholder approval was not required for the merger.
 - (ii) ☐ Shareholder approval was required for the merger, and the plan of merger was approved by the shareholders as required by Chapter 55 or Chapter 55B, if applicable, of the North Carolina General Statutes.
 - b. If the surviving entity is a North Carolina nonprofit corporation:
 - (i) ☐ Member approval was not required for the merger, and the plan of merger was approved by a sufficient vote of the board of Directors.
 - (ii) ☐ Member approval was required for the merger, and the plan of merger was approved by the members as required by Chapter 55A of the North Carolina General Statutes.

10/04/05 11:00 AM 170 system Printer

(iii) ___ Approval of the plan of merger by some person or persons other than the members or the board was required pursuant to N.C.G.S. Section 55A-11-03(a)(3), and such approval was obtained.

c. If the surviving entity is a North Carolina limited liability company:

(i) ___ The merger was approved in the manner provided by the articles of organization or a written operating agreement providing for approval of a merger with the type of business entity contemplated in the plan of merger.

(ii) x The merger was approved by the unanimous consent of the members of the limited liability company.

d. If the surviving entity is a North Carolina partnership, including a limited liability partnership, or a North Carolina limited partnership:

(i) ___ The merger was approved in the manner provided in a written partnership agreement that is binding on all the partners for approval of a merger with the type of business entity contemplated in the plan of merger.

(ii) ___ The merger was approved by the unanimous consent of the partners.

e. ___ The surviving entity is a foreign entity, including a corporation, nonprofit corporation, professional corporation, limited liability company, partnership, limited liability partnership or limited partnership, and the merger was approved in accordance with the laws of the state or country governing the organization and internal affairs of the foreign entity.

6. With respect to the merged entity (check the appropriate response):

a. If the merged entity is a North Carolina corporation or professional corporation:

(i) ___ Shareholder approval was not required for the merger.

(ii) ___ Shareholder approval was required for the merger, and the plan of merger was approved by the shareholders as required by Chapter 55 or Chapter 55B, if applicable, of the North Carolina General Statutes.

b. If the merged entity is a North Carolina nonprofit corporation:

(i) ___ Member approval was not required for the merger, and the plan of merger was approved by a sufficient vote of the board of directors.

(ii) ___ Member approval was required for the merger, and the plan of merger was approved by the members as required by Chapter 55A of the North Carolina General Statutes.

(iii) ___ Approval of the plan of merger by some person or persons other than the members or the board was required pursuant to N.C.G.S. Section 55A-11-03(u)(3), and such approval was obtained.

c. If the merged entity is a North Carolina limited liability company:

(i) ___ The merger was approved in the manner provided by the articles of organization or a written operating agreement providing for approval of a merger with the type of business entity contemplated in the plan of merger.

(ii) The merger was approved by the unanimous consent of the members of the limited liability company.

- d If the merged entity is a North Carolina partnership, including a limited liability partnership, or a North Carolina limited partnership:
- (i) The merger was approved in the manner provided in a written partnership agreement that is binding on all the partners for approval of a merger with the type of business entity contemplated in the plan of merger.
- (ii) The merger was approved by the unanimous consent of the partners.

- e. X The merging entity is a foreign entity, including a corporation, nonprofit corporation, professional corporation, limited liability company, partnership, limited liability partnership or limited partnership, and the merger was approved in accordance with the laws of the state or country governing the organization and internal affairs of the foreign entity.

7. The merger is permitted by the law of the state or country governing the organization and internal affairs of each merging business entity.
8. Each business entity that is a party to the merger has complied or shall comply with the applicable laws of the state or country governing its organization and internal affairs.
9. These articles will be effective upon filing, unless a delayed date and/or time is specified:

This the 10th day of April, 2001.

Republic Services of North Carolina, LLC
Name of Entity
[Signature]
Signature

Harold W. Hudson, sole Manager
Type or Print Name and Title

NOTES:
"A "Cross-merger" may involve one or more business entities, including corporations, limited liability companies, partnerships, limited liability partnerships or limited partnerships. The phrase "Cross-merger" is used solely for identification and does not constitute a statement of the law of the state or country of the business entity.

Filing fee is \$50. This document and one copy of any foreign copy of these articles must be filed with the Secretary of State of North Carolina, or the Secretary of State of the state or country of the business entity, of the merging business entity.

(December 1990)
CORPORATIONS DIVISION
5621

P. O. BOX 29422

(Form 35-13)
RALEIGH, NC 27621

LCR02 - 23444 v7 4/2004-10/04

ADDENDUM 1 TO
ARTICLES OF MERGER

#3. Merging Entities:

East Carolina Environmental, Inc., a Kentucky corporation
Upper Piedmont Environmental, Inc., a Kentucky corporation

Exhibit A

PLAN OF MERGER

This Plan of Merger (this "Plan") is adopted as of April 19, 2001 by and among EAST CAROLINA ENVIRONMENTAL, INC. and UPPER EDMONT ENVIRONMENTAL, INC., each a Kentucky corporation (the "Merging Entities"), and REPUBLIC SERVICES OF NORTH CAROLINA, LLC, a North Carolina limited liability company (the "Surviving Entity").

RECITALS

The boards of directors and shareholders of the Merging Entities and the sole manager and sole member of the Surviving Entity have determined that it is advisable and in the best interests of each such corporation and its respective shareholders/member that the Merging Entities be merged (the "Merger") with and into the Surviving Entity on the terms and subject to the conditions set forth herein.

ARTICLE I

THE MERGER

At the Effective Time (as defined in Article V hereof), the Merging Entities shall be merged with and into the Surviving Entity in accordance with Sections 55-11-10(d), 55A-11-09(d), 57C-9A-07, 59-73.5 and 59-1013 of the North Carolina General Statute (the "NCGS"), and the separate existence of the Merging Entities shall cease and the Surviving Entity shall thereafter continue as the Surviving Entity under the laws of the State of North Carolina.

ARTICLE II

THE SURVIVING ENTITY

A. At the Effective Time, the Articles of Organization of the Surviving Entity, as in effect immediately prior to the Effective Time, shall be the Articles of Organization of the Surviving Entity.

B. At the Effective Time, the Operating Agreement of the Surviving Entity, as in effect immediately prior to the Effective Time, shall be the Operating Agreement of the Surviving Entity, until thereafter altered, amended or repealed in accordance with the NCGS and the Articles of Organization and Operating Agreement of the Surviving Entity.

C. At the Effective Time, the officers and managers of the Surviving Entity shall be the officers and managers of the Surviving Entity until their successors are elected and have qualified.

D. At the Effective Time, the name and address of the registered agent of the Surviving Entity shall be C Corporation System, 225 Hillsborough Street, Raleigh, North Carolina 27603.

Plan of Merger.docx upd

ARTICLE III

MANNER AND BASIS OF CONVERTING SHARES

At the Effective Time, each share of common stock of the Merging Entities (the "Merging Company's Common Stock"), which shall be issued and outstanding (including shares of the Merging Company's Common Stock held in treasury), shall be automatically canceled and extinguished without any conversion thereof.

ARTICLE IV

EFFECT OF MERGER

At the Effective Time, all property, rights, privileges, powers and franchises of the Surviving Entity and the Merging Entities shall vest in the Surviving Entity, and all liabilities and obligations of the Surviving Entity and the Merging Entities shall become liabilities and obligations of the Surviving Entity, including, the payment of all fees and franchise taxes.

ARTICLE V

EFFECTIVE TIME

As used in this Agreement, the term "Effective Time" shall mean April 11, 2001, not the date and time of filing of Articles of Merger with the Secretary of State of the State of North Carolina with respect to the Merger.

[END OF DOCUMENT]



North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

June 16, 2005

MEMORANDUM

To: Ed Mussler, Environmental Engineer

From: Bobby Lutfy, Hydrogeologist

BL

RE: Permit Application For Phase 4 Construction Permit
Republic Services Of North Carolina, LLC
East Carolina MSW Landfill
Bertie County, Permit No. 08-03

The hydrogeologic review is now complete for the above referenced Permit Application For Phase 4 (cells 11 and 12) Construction of the Republic Services East Carolina Regional MSW Landfill in Bertie County. With the revisions received June 10, 2005, the "Water Monitoring Procedures" in Section V of Volume 2 of the Permit Application appear consistent with the Rules and Policies of the Solid Waste Section. With the revisions of May 2, May 26, and June 3, 2005, the revised Design Hydrogeologic Report for Phase 4 (Cells 11-12) of the East Carolina Regional MSW Landfill meets the requirements of the Solid Waste Management Rules.

You may also want to review Appendix I of the Design Hydrogeologic Report, which contains "Geotechnical Calculations", including settlement calculations. If these calculations appear to be satisfactory to you for engineering considerations, then the Design Hydrogeologic Report can be approved. Three copies of the Design Hydrogeologic Report have been provided.

cc: Jim Barber

Subject: Re: East Carolina Cell 11, Phase IV

From: HodgesWmF@aol.com

Date: Wed, 15 Jun 2005 13:56:45 EDT

To: ED.MUSSLER@ncmail.net, HLNEWBERRY@aol.com, CookseyW@repsrvnc.com, HoffmanRJ@repsrvnc.com

Ed,

In response to your email below, the changes to the drawings were generally grammar and text style. We have changed our standard text style on all work.

As for the geonet drainage media, it is only used on the cap where there are very low normal loads. It is not used on the base liner. Where we use geonet drainage media on base liners (on other sites), we use the longer test. Therefore, we believe this test is appropriate for this use only for this product.
wfh

In a message dated 6/15/2005 1:33:35 PM Eastern Daylight Time, ED.MUSSLER@ncmail.net writes:

Bill,

I see that the engineering drawings in the binder are marked revised May 12, 2005. You had previously sent drawings dated May 5, 2005. What, pray tell, are the changes. They must have been minor, i couldn't find them.

In the CQA plan and the Technical Specifications for the geonet drainage media you refer to transmissivity testing in accordance with ASTM D4716 and specify the seating time, load and gradient. What is the test duration?

If I am not mistaken ASTM D4716 is an index test and just requires 15 minutes of testing. If this is correct, then the duration of the test should be evaluated.

Many in the field are calling for 100 hour tests on geonets, at load. Experience here at the Section indicates that testing periods as short as 24 hours can reveal creep failure and loss of transmissivity of geonets. Please address.

Thanks

Ed Mussler

Solid Waste Section.

Ed Mussler, P.E.

Permitting Engineer

Solid Waste Section

Division of Waste Management

Mail to: 1646 Mail Service Center

Raleigh, NC, 27699-1646

401 Oberlin Road

Suite 150

Raleigh, NC 27606

919.508.8510

919.733.4810(fax)

ed.mussler@ncmail.net

wastenotnc.org

08-03
16

HODGES, HARBIN, NEWBERRY & TRIBBLE, INC.

CONSULTING ENGINEERS

484 MULBERRY STREET • SUITE 265 • MACON, GEORGIA 31201
P. O. Box 974 • MACON, GEORGIA 31202 -0974

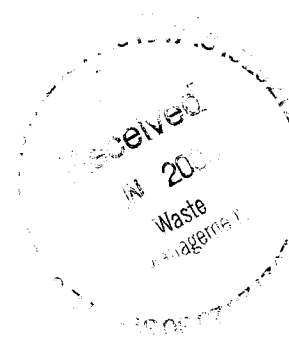
H. LOWRY TRIBBLE, JR., PE
WILLIAM F. HODGES, PE
HAROLD L. NEWBERRY, PE
J. STEVEN HARBIN, PE
W. MICHAEL STUBBS, PE

TELEPHONE (478) 743-7175
FAX (478) 743-1703

June 13, 2005

Mr. Edward F. Mussler, III, P.E.
NC Department of Environment & Natural Resources
1646 Mail Service Center
Raleigh, NC 27699-1646

**Re: East Carolina Regional MSW Landfill
Expansion
HHNT Project No. 1001-186-01**



Dear Mr. Mussler:

I have enclosed the documents you requested regarding the ownership of the property by Republic Services of North Carolina, LLC in Bertie County, North Carolina. There is also a memo from Mr. David Reed which explains the effect of the merger of East Carolina Environmental, Inc. into Republic Services of North Carolina, LLC.

Should you have any questions, please call.

Sincerely,

HODGES, HARBIN, NEWBERRY AND TRIBBLE, INC.

William F. Hodges, P.E.
Professional Engineer

WFH/jlm

cc: Ray Hoffman, P.E., w/encl.
Bill Cooksey, w/encl.
Drew Isenhour, w/encl.
Tim Benter, w/encl.
Matt Cheek, w/encl.



WILLIAMS MULLEN

17
APPROVED

DIVISION OF WASTE MANAGEMENT

SOLID WASTE SECTION

DATE 6-17-05 BY JME

0863 PTC

AI ~~PI~~ PI DOC 2

Direct Dial: 804.783.6916
dreed@williamsmullen.com

June 10, 2005

Via Facsimile and Overnight Delivery

William Hodges
Hodges, Harbin, Newberry & Tribble
484 Mulberry Street, Suite 265
Macon, GA 31201

RE: Republic Services of North Carolina, LLC

Dear Bill:

Enclosed please find copies of the following:

- 1) Various deeds conveying to East Carolina Environmental, Inc., certain property located in Bertie County, NC;
- 2) Articles of Merger filed with the Secretary of State of North Carolina on April 24, 2001, and recorded in the real property records for Bertie County, North Carolina on June 9, 2005; and
- 3) Title Commitment issued by Chicago Title Insurance Company, Effective May 12, 2005.

As you know, the property referenced in the deeds was owned by East Carolina Environmental, Inc. By virtue of the merger and as reflected in the Articles of Merger, East Carolina Environmental, Inc. was merged into Republic Services of North Carolina, LLC, a North Carolina limited liability company. Following the merger, the property referenced in the deeds was owned by Republic Services of North Carolina, LLC, and East Carolina Environmental, Inc. no longer existed. There was no conveyance of title to the property referenced in the deeds, and no deed was necessary to reflect the merger. As reflected in the title commitment, the owner of the property referenced in the deeds is Republic Services of North Carolina, LLC.

A Professional Corporation

VIRGINIA • WASHINGTON, D.C. • LONDON

Two James Center 1021 East Cary Street (23219) P.O. Box 1320 Richmond, VA 23218-1320 Tel: 804.643.1991 Fax: 804.783.6507
www.williamsmullen.com



WILLIAMS MULLEN

William Hodges
June 10, 2005
Page 2

I hope this clarifies things for you. Please contact me if you have any questions or comments.

Very truly yours,

David A. Reed

DAR/dr
cc: Tim Benter, Esq.
Drew Isenhour

1158681v1

HODGES, HARBIN, NEWBERRY & TRIBBLE, INC.**CONSULTING ENGINEERS**

484 MULBERRY STREET • SUITE 265 • MACON, GEORGIA 31201
P. O. Box 974 • MACON, GEORGIA 31202 -0974

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WILLIAM F. HODGES, PE
HAROLD L. NEWBERRY, PE
J. STEVEN HARBIN, PE
W. MICHAEL STUBBS, PE

TELEPHONE (478) 743-7175
FAX (478) 743-1703

June 10, 2005

Mr. Edward F. Mussler, III, P.E.
NC Department of Environment & Natural Resources
1646 Mail Service Center
Raleigh, NC 27699-1646

**Re: East Carolina Regional MSW Landfill
Expansion
HHNT Project No. 1001-186-01**



Dear Mr. Mussler:

We have enclosed the "Recorded Articles of Merger" on the subject project which merges East Carolina Environmental, Inc into Republic Services of North Carolina, LLC. This is recorded at Book 840, Page 853 in Bertie County. Since this moves all East Carolina Environmental, Inc. property into Republic Services of North Carolina, LLC by way of merger, the permit recordation should reference this document at this book and page.

Should you have any questions, please call.

Sincerely,

HODGES, HARBIN, NEWBERRY AND TRIBBLE, INC.

William F. Hodges, P.E.
Professional Engineer

WFH/jlm

cc: Drew Isenhour
Ray Hoffman, P.E.
Bill Cooksey
Tim Benter
David Reed
Matt Cheek

19

HODGES, HARBIN, NEWBERRY & TRIBBLE, INC.

CONSULTING ENGINEERS

484 MULBERRY STREET • SUITE 265 • MACON, GEORGIA 31201
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HAROLD L. NEWBERRY, PE
J. STEVEN HARBIN, PE
W. MICHAEL STUBBS, PE

TELEPHONE (478) 743-7175
FAX (478) 743-1703

June 9, 2005

Mr. Edward F. Mussler, III, P.E.
NC Department of Environment & Natural Resources
1646 Mail Service Center
Raleigh, NC 27699-1646

**Re: East Carolina Regional Landfill
Phase 4 Construction Permit Application
HHNT Project No. 1001-354-01**

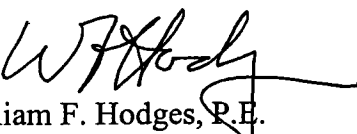
Dear Mr. Mussler:

I have enclosed the "Water Monitoring Procedures" plan which has been sealed by both professional engineers and a professional geologist. This was requested by Mr. Bobby Lufty.

Should you have any questions, please call.

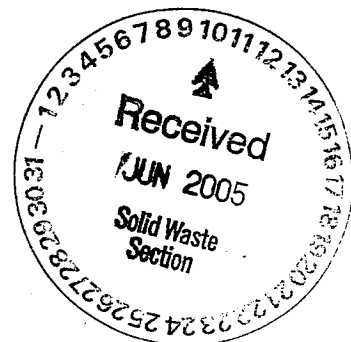
Sincerely,

HODGES, HARBIN, NEWBERRY AND TRIBBLE, INC.


William F. Hodges, P.E.
Professional Engineer

WFH/gr

cc: Bill Cooksey
Ray Hoffman, P. E.
Matt Cheek



20

HODGES, HARBIN, NEWBERRY & TRIBBLE, INC.

CONSULTING ENGINEERS

484 MULBERRY STREET • SUITE 265 • MACON, GEORGIA 31201
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H. LOWRY TRIBBLE, JR., PE
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HAROLD L. NEWBERRY, PE
J. STEVEN HARBIN, PE
W. MICHAEL STUBBS, PE

TELEPHONE (478) 743-7175
FAX (478) 743-1703

June 8, 2005

Mr. Jim Barber
NC Department of Environment & Natural Resources
1646 Mail Service Center
Raleigh, NC 27699

**Re: East Carolina Environmental
Cell No. 11
HHNT Project No. 1001-375-01**

Dear Mr. Barber:

This confirms the preconstruction conference for the subject project with the Solid Waste Section was held on June 7, 2005 at Troy, North Carolina. The following were in attendance:

Jim Barber
Bill Cooksey
Tom Flannagan
Ray Hoffman, P.E.
Bill Hodges, P.E.

North Carolina Solid Waste Section
Republic Services of North Carolina, LLC
Republic Services of North Carolina, LLC
Republic Services of North Carolina, LLC
Hodges, Harbin, Newberry & Tribble, Inc.

The following were discussed:

- Start up will be in early July
- KAB will most likely be the contractor
- BLE will be the CQA firm
- Hodges, Harbin, Newberry & Tribble, Inc. will be the engineer of record
- Ed Mussler, P.E. of the Section will be coordinated with throughout construction
- The default liner will be utilized (1×10^{-7} cm/sec clay liner + FML)

Mr. Barber advised us that the regional specialist for the Section will be either Chuck Boyette or Ben Barnes, who are job sharing.

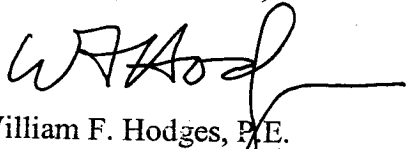


Mr. Jim Barber
June 8, 2005
Page Two
=====

Should you have any questions, please call.

Sincerely,

HODGES, HARBIN, NEWBERRY AND TRIBBLE, INC.



William F. Hodges, P.E.
Professional Engineer

WFH/jlm

cc: Bill Cooksey
Ed Mussler, P.E.
Tom Flannagan
Ray Hoffman, P.E.
Steve Nichting

Subject: Re: East Carolina Piezometer Abandonment

From: Bobby Lutfy <Bobby.Lutfy@ncmail.net>

Date: Thu, 19 May 2005 06:34:14 -0400

To: Ed Mussler <Ed.Mussler@ncmail.net>

Ed,

I am currently reviewing the Responses To Comments and revisions for the E. Carolina Phase 4 area. There are a few more items that need to be resolved before I can check off on the permit application. However I do not foresee any problems regarding abandoning the piezometers in Cell 11. All piezometers should be drilled out to full depth of the borehole and then abandoned properly with an approved grout or bentonite mixture as per the N.C. 2C Rules for permanent well abandonment. -Bobby

Ed Mussler wrote:

Bobby,

this email is a follow up to my voice mail of Wed am. Bill Hodges has contacted us about permission to abandon piezometers in the footprint of cell 11 at East Carolina. They need to get at this so that they are in position to begin construction as soon as we get them a permit. They have responded to your review comments.

Is it ok that they abandon the piezometers? Please let us know as soon as possible.

thanks

Ed Mussler

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HODGES, HARBIN, NEWBERRY & TRIBBLE, INC.

CONSULTING ENGINEERS

484 MULBERRY STREET • SUITE 265 • MACON, GEORGIA 31201
P. O. Box 974 • MACON, GEORGIA 31202 -0974

H. LOWRY TRIBBLE, JR., PE
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HAROLD L. NEWBERRY, PE
J. STEVEN HARBIN, PE
W. MICHAEL STUBBS, PE

TELEPHONE (478) 743-7175
FAX (478) 743-1703

May 6, 2005

Mr. Edward F. Mussler, III, P.E.
NC Department of Environment & Natural Resources
1646 Mail Service Center
Raleigh, NC 27699-1646

**Re: East Carolina Regional Landfill
Phase 4
Construction Permit Application
HHNT Project No. 1001-354-01**



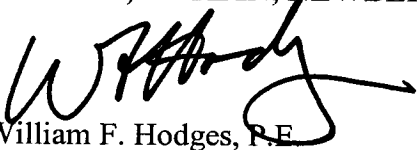
Dear Mr. Mussler:

We have enclosed the Phase 4 plans on the subject project for your review. We will submit the narrative support for this permit application next week.

Should you have any questions, please call.

Sincerely,

HODGES, HARBIN, NEWBERRY AND TRIBBLE, INC.


William F. Hodges, P.E.
Professional Engineer

WFH/jlm

cc: Bill Cooksey, w/encl.
Ray Hoffman, P. E., w/encl.

0803
correspondence

Permit No. 08-03

[illegible]

PUBLIC NOTICE

NC Department of Environment and Natural Resources
Division of Waste Management
Solid Waste Section
1646 Mail Service Center
Raleigh, North Carolina 27699-1646
Telephone 919-733-4996 or Fax 919-733-4810

Notice of public comment period on a new facility permit for the East Carolina Environmental Regional (ECE) Municipal Solid Waste Landfill (MSWLF) Facility, Permit Number 08-03, located in Bertie County, is hereby given. This 45-day comment period will begin April 6, 2005 and end at 5 PM on May 23, 2005. Persons wishing to comment on the terms and conditions of the new permits should submit their comments in writing to the Division contact, Edward Mussler, P.E., at the above address. All data submitted by the applicant is available as part of the administrative record and may be viewed during business hours, 9 AM-4 PM, Monday-Friday, by appointment, at the Division of Waste Management, 401 Oberlin Road, Suite 150, Raleigh, NC. A public hearing on the new facility plan and permit has been scheduled for May 5, 2005, at 2 PM. The hearing will be held in the Commissioners Meeting Room, Bertie County Administration Bldg. 106 Dundee St. Windsor, NC. Interested parties may submit oral or written statements and data concerning the proposed new facility permit. Persons wishing to speak may register at the hearing. Five (5) minutes will be allotted per speaker. Interested parties may submit written statements and data concerning the proposed new facility permit to the division contact at the above address.

The East Carolina Environmental Regional Landfill, Permit Number 08-03 is located on SR 1255, north of Windsor, Bertie County, North Carolina. The ECE MSWLF facility is owned and operated by Republic Services of North Carolina LLC. The ECE MSWLF facility currently has a permit for a 470-acre facility development plan which includes an approximate 113-acre lined municipal solid waste landfill, storm debris area, sludge solidification pit and related infrastructure. Permits have been issued for the overall facility development and specifically the construction and operation of Phases 1-3, Cells 3-10 MSW unit, which will covers approximately 77 acres plus related infrastructure.

Republic Services of North Carolina, LLC and East Carolina Environmental have been issued a new facility franchise by the Bertie County Board of County Commissioners. The revised franchise was approved October 17, 2000. A new franchise was required because substantial changes to the effective permit are proposed. The changes include an increase in the annual waste disposal rate to 1600 tons per day (584,000 tons per year), an increase in the volume of the landfill to 24,200,000 cubic yards, an increase in area of the facility to 662.6 acres, an increase in the footprint of the landfill to 150 acres, and special waste handling. The franchise increases will extend the life of the landfill approximately 24 years at the projected waste rates. If waste rates do not meet expectations, the landfill could last longer.

FACT SHEET
PERMIT NUMBER: 08-03

FACILITY: East Carolina Regional Landfill
COUNTY: Bertie
CITY: Windsor, North Carolina

OWNER: Republic Services of North Carolina, LLC
1220 Commerce St. SW
Suite A
Conover, NC 28613

OPERATOR: East Carolina Environmental, Inc.
1922 Republican Road
Aulander, NC 27805

Description

Draft Solid Waste Permits, Part 1: Permit to Construct, and Part 2: Permit to Operate have been prepared by the Division of Waste Management for the operation of the East Carolina Regional Landfill, a municipal solid waste landfill facility (MSWLF). The division has determined that the proposed facility plan, engineering plan, construction quality assurance plan, operation plan, closure and post-closure plan and the water quality monitoring plan, as identified in the application, satisfy the requirements and intent of the North Carolina Solid Waste Management Rules, codified as 15A NCAC 13B .1600.

The East Carolina Regional Landfill is owned and operated by Republic Services of North Carolina, LLC, a wholly owned subsidiary of Republic Services, Inc. of Ft. Lauderdale, Fl. The facility is located on NCSR 1255, north of Windsor, Bertie County, North Carolina. On October 17, 2000 the Bertie County Board of Commissioners granted Republic Services of North Carolina, LLC a revised franchise to expand the facility, increase the permitted volume, yearly rate and extend the facility life.

The facility added property for the purpose of expanding the landfill footprint. The facility increases in size from a current 470.3 acres to a new 662.6 acres. The existing permitted landfill unit footprint covers approximately 113 acres, and the expansion will increase the permitted footprint to 150 acres. Currently Cells 3-10 have been constructed and are operational. The existing Cells 1 and 2 will be eliminated and the facility will ultimately have Cells 3-15. This permit approves the master conceptual facility plan and continued operation of Phases 1-3, Cells 3 through 10. The facility is projected to be developed over approximately 24 years. If waste receipts do not reach the permitted levels, the project could last longer.

The MSWLF unit is permitted to dispose of household, industrial and commercial solid waste. Hazardous or other banned wastes such as yard waste and white goods are not approved for disposal. The facility is permitted to accept waste generated within the state of North Carolina, consistent with the local government approval and franchise agreement. The total facility capacity is being raised from approximately 11,000,000 cubic yards to a gross capacity of 24,200,000 cubic yards. Gross capacity is defined by the division as the volume bounded by the top of protective cover through the top of the final cover. It includes daily operational cover. Actual disposal volume may be less. This will extend the life of the facility to about 24 years from April of 2003. The franchise also increases the approved disposal rate to 584,000 tons per year, which corresponds to an approximate disposal rate 1600 tons of waste per day, based on 365 days per year.

Permit Structure

The permit is divided into sections. A copy of the permit is attached.

Public Comment Period

North Carolina Solid Waste Management Rules require that the public be given a 45-day period to comment on the draft permit. This 45-day period will begin on April 6, 2005. The draft permit is available for review by appointment from 9 AM to 4 PM, Monday-Friday, at the Division of Waste Management, 401 Oberlin Road, Raleigh, NC. All data submitted by the applicant is available as part of the administrative record. Persons wishing to comment on either this permit or the proposed permit conditions or to object to the permit issuance should submit their comments in writing by 5 PM, May 23, 2005. Comments should be sent to the address shown below and include the permit number. All comments received within the 45-day period will be considered in making the final determinations regarding the permit. A final permit decision and response to comments will be prepared soon after the conclusion of the comment period.

Division Contact-

Comments and requests for more information should be sent to:

Mr. Edward F. Mussler III, P.E.
North Carolina Division of Waste Management
Solid Waste Section
1646 Mail Service Center
Raleigh, North Carolina 27699-1646
(919) 733-4996 ext 343
FAX (919) 733-4810
email- ed.mussler@ncmail.net

Public Hearing Notice

The North Carolina Solid Waste Management Rules provide for a public hearing. A public hearing on the new facility plan and permit has been scheduled for May 5, 2005, at 2 PM. The hearing will be held in the Commissioners Meeting Room, Bertie County Administration Bldg. 106 Dundee St.

Windsor, NC. Interested parties may submit oral or written statements and data concerning the proposed new facility permit. Persons wishing to speak may register at the hearing. Five (5) minutes will be allotted per speaker. Comments will only be accepted on the referenced permit and facility plan.

NOTIFICATION

Persons who want to receive notice of the final permit decision should register with the division contact.

FACILITY PERMIT NO: 08-03

Part 1-Permit to Construct

Date of Original Issue: August 6, 1993

Permit Renewal Date: November 5, 1996

Date of Permit Amendment: March 27, 2000

Date of Permit Modification: January 28, 2002

Date of New Facility Permit: May XX, 2005

(New facility property, capacity and rate)

Page 1

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT

1646 MAIL SERVICE CENTER, RALEIGH NC 27699

MUNICIPAL SOLID WASTE LANDFILL FACILITY PERMIT

REPUBLIC SERVICES OF NORTH CAROLINA, LLC., a wholly owned subsidiary
of REPUBLIC SERVICES, INC. of Ft. Lauderdale, Fl., d.b.a.

EAST CAROLINA ENVIRONMENTAL

is hereby issued a permit to construct a Municipal Solid Waste Landfill Facility,
PHASE THREEE,

Accessed via NCSR 1225 (Republican Road), north of Windsor, Bertie County,
North Carolina in accordance with Article 9, Chapter 130A, of the General Statutes
of North Carolina and all rules promulgated thereunder and subject to the conditions
set forth in this permit. The facility is located and described by the legal description
of the site or the property map contained within the approved application.

Donald J. Barber, Head
Permitting Branch
Solid Waste Section

ATTACHMENT 1

Approved Documents

PART I: GENERAL FACILITY CONDITIONS

1. *The Bertie County Solid Waste Disposal Franchise Ordinance*, February 20, 1996, amended October 17, 2000.

PART II: MUNICIPAL SOLID WASTE LANDFILL CONDITIONS

1. *Permit Renewal Application, Phase 2, East Carolina Regional Landfill, Bertie County, North Carolina, for East Carolina Environmental, Inc.* Prepared by: Hodges, Harbin, Newberry & Tribble, Inc. Macon, Ga. May 14, 1996, as amended through August 20, 1996. 2 Volumes.
2. *Design Hydrogeological Report, Phase II (Cells 8 and 9), East Carolina Regional Landfill, Bertie County, North Carolina.* Prepared for: Hodges, Harbin, Newberry & Tribble, Inc. Macon, Ga. Prepared by: Law Engineering and Environmental Services, Inc. Greenville, SC. March 12, 1996 as revised through September 10, 1996.
3. Drawings entitled *East Carolina Regional Landfill-Phase 2, Construction Plans, East Carolina Environmental, Inc., Windsor, North Carolina.* Prepared by: Hodges, Harbin, Newberry & Tribble, Inc. Macon, Ga. May 14, 1996, as amended through August 20, 1996. 20 Sheets.
4. Drawings Entitled *Construction of Cell No. 9. East Carolina Regional MSW Landfill, East Carolina Environmental, Inc. Bertie County, North Carolina. January 2000.* Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA. January 2000. Revised through March 21, 2000. 7 sheets.
5. *Design Hydrogeologic Report. Phase 3 (Cells 9-10). East Carolina Regional Landfill. Bertie County, North Carolina.* Prepared for: HHN&T, Macon, Ga. Prepared by: Bunnell-Lammons Engineering, Inc. Greenville, SC. January 25, 2000. February 27, 2000 Addendum incorporated. As Revised March 22, 2000. BLE Project Number J98-1001-18.
6. Drawings Entitled *Phase 3 Engineering Plans. East Carolina Regional MSW Landfill. East Carolina Environmental, Republic Services of North Carolina, LLC. Bertie County, North Carolina, June 2001.* Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA. June 2001. 18 sheets.
7. *Site Hydrogeologic Report. Expanded East Carolina Regional MSW Landfill. Bertie County, North Carolina.* Prepared for: HHN&T, Macon, Ga. Prepared by: Bunnell-Lammons Engineering, Inc. Greenville, SC. July 16, 1998. Revised April 11, 2003. BLE Project Number J96-1001-03.

PART III: CONSTRUCTION AND DEMOLITION LANDFILL CONDITIONS

(NOT APPLICABLE)

PART IV: LAND CLEARING AND INERT DEBRIS LANDFILL CONDITIONS

FACILITY PERMIT NO: 08-03

Part 1-Permit to Construct

Date of Original Issue: August 6, 1993

Permit Renewal Date: November 5, 1996

Date of Permit Amendment: March 27, 2000

Date of Permit Modification: January 28, 2002

Date of New Facility Permit: May XX, 2005

(New facility property, capacity and rate)

Page 3

(NOT APPLICABLE)

PART V: YARD WASTE CONDITIONS

(NOT APPLICABLE)

PART VI: MISCELLANEOUS TREATMENT AND PROCESSING FACILITIES CONDITIONS

(NOT APPLICABLE)

ATTACHMENT 2

PART I:

GENERAL FACILITY CONDITIONS

1. This permit approves the Facility Plan which, in accordance with 15 NCAC 13B .1619, defines the comprehensive development of the facility including the total municipal solid waste landfill capacity, the municipal solid waste stream, all onsite solid waste management facilities and related facility infrastructure.

The approved plans are described in Attachment 1, "Approved Documents", Part II, Document 1 and 4. Where discrepancies may exist, the most recent approved submittal and Conditions of Permit shall govern.

2. The facility has a total gross design capacity of approximately 24,200,000 cubic yards. Gross capacity is the volume calculated from the top of protective cover through the top of the final cover, consistent with the approved contours. Approximately 8,267,000 cubic yards has been constructed and permitted for phases 1,2 and 3. The remaining gross volume of the facility is approximately 15,933,000 cubic yards (Phases IV-VII).

The landfill will be constructed in five additional phases, Phases IV-VII. Construction of cells within each phase shall be in accordance with the Division approved plans.

This permit to construct does not approve construction of phases or cells outside of Phase III, Permit to Construct issued January 28, 2002.

3. The landfill is permitted to receive solid waste generated by and in the counties of North Carolina, consistent with local government waste management plan(s), with local government approval and contract and the franchise agreement, and as defined in 15A NCAC 13B .0101(36), except where prohibited by North Carolina General Statutes Article 9 of Chapter 130A, and rules adopted by the Commission for Health Services.
4. This facility is subject to the requirements of all applicable sections of the most recent version of the North Carolina Solid Waste Management Rules, 15A NCAC 13B and the specific conditions contained herein.
5. This facility shall conform to the specific conditions set forth in this permit and the provisions of 15A NCAC 13B .1604(b)(2).

FACILITY PERMIT NO: 08-03

Part 1-Permit to Construct

Date of Original Issue: August 6, 1993

Permit Renewal Date: November 5, 1996

Date of Permit Amendment: March 27, 2000

Date of Permit Modification: January 28, 2002

Date of New Facility Permit: May XX, 2005

(New facility property, capacity and rate)

Page 5

6. This facility permit is issued under the criteria set forth in 15A NCAC 13B.1603(a)(1)(E). Any facility changes that effect the criteria established in 15A NCAC 13B.1603(a)(1) may require a new permit.
7. The East Carolina Environmental shall submit an amendment to this permit pursuant to 15A NCAC 13B.1603(a)(2) for any subsequent phase of development.

FACILITY CONSTRUCTION CONDITIONS

8. East Carolina Environmental shall conduct a preconstruction meeting, on site, prior to initiating construction of any unit/cell at the site and shall notify the Solid Waste Section 10 days prior to said meeting.
9. Construction of all solid waste management units within this facility shall be in accordance with the pertinent approved plans and only for those phases of development approved for construction as described in Attachment 1, Part II, Documents 1 and 6, "Approved Documents".
10. Additional conditions and revisions of the approved documents or changes during construction of any landfill unit/cell require approval by the North Carolina Solid Waste Section.
11. Any modifications in sedimentation and erosion control activities require approval by the Land Quality Section. The Section shall be notified of any sedimentation and erosion control modifications.

FACILITY PRE-OPERATIVE CONDITIONS

12. Prior to receiving waste at any new cell or subcell of this facility, a Permit to Operate, must be obtained from the Solid Waste Section in accordance with 15A NCAC 13B .0201(b).
13. The following requirements shall be met prior to waste disposal for any new cell or subcell of this facility:
 - a. Site preparation shall be in accordance with the approved plans, and the conditions specified herein.
 - b. Site inspection shall be made by a representative of the Solid Waste Section.

- c. Prior to waste disposal for any cell, a pre-operative meeting shall be held on-site with key landfill personnel and representatives of the Solid Waste Section.

PART II:

MUNICIPAL LANDFILL UNIT SPECIFIC CONDITIONS

PRE-OPERATIONAL CONDITIONS

1. Ground water monitoring wells and surface water sampling locations shall be sampled for the Appendix I constituent list prior to issuing the Permit to Operate.

CONSTRUCTION CONDITIONS

2. The owner's geologist shall be in the field to supervise all well installations. Any modifications to the approved water quality monitoring plan require approval by the Section Hydrogeologist. Documentation of all changes to the approved plan shall be submitted with the well construction records.
3. For each monitoring well constructed, a well construction record, well schematic, boring log and a description of well development activities shall be submitted to the Section within 30 days upon well completion.

PART III:

CONSTRUCTION AND DEMOLITION DEBRIS UNIT SPECIFIC CONDITIONS

(NOT APPLICABLE)

PART IV:

LAND CLEARING AND INERT DEBRIS UNIT SPECIFIC CONDITIONS

(NOT APPLICABLE)

PART V:

YARD WASTE UNIT SPECIFIC CONDITIONS

(NOT APPLICABLE)

PART VI:

MISCELLANEOUS TREATMENT AND PROCESSING UNIT SPECIFIC CONDITIONS (Specify Unit Type) (NOT APPLICABLE)

FACILITY PERMIT NO: 08-03
Part 2-Permit to Operate
Date of Original Issue: October 8, 1993
Permit Amendment Date: September 23, 2003
(Cell 10)
Permit Modification Date: February 19, 2004
New Facility Permit: May XX, 2005
(New Rate, Size)
Page 1

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT

1646 Mail Service Center,
Raleigh, NC 27699-1646

**MUNICIPAL SOLID WASTE LANDFILL
FACILITY PERMIT**

Republic Services of North Carolina, L.L.C.
d.b.a. EAST CAROLINA ENVIRONMENTAL, INC.
is hereby issued a PERMIT to OPERATE a
MUNICIPAL SOLID WASTE LANDFILL FACILITY AND
DISPOSAL CELLS 3 through 10

located on NCSR 1225 (Republican Road), north of Windsor, Bertie County, North Carolina, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The facility is located and described by the legal description of the site or the property map contained within the approved application.

Donald J. Barber, Supervisor
Permitting Branch
Solid Waste Section

ATTACHMENT 3

Approved Documents

PART I: GENERAL FACILITY CONDITIONS

1. Facility Permit No: 08-03. Part 2-PTO, Original Permit October 8, 1993
2. Facility Permit No: 08-03. Part 2-PTO, Permit Modification, December 2, 1994
3. Facility Permit No: 08-03. Part 2-PTO, Permit Renewal, April 18, 1997
4. Facility Permit No: 08-03. Part 2-PTO, Permit Amendment, November 8, 2000
5. Facility Permit No: 08-03. Part 2-PTO, Permit Modification, Sludge Solidification, June 3, 2003.

PART II: MUNICIPAL SOLID WASTE LANDFILL CONDITIONS

1. *Technical Specification for Alternative Protective Cover. Construction of Cell NO. 10, East Carolina Regional MSW Landfill. Republic Services of North Carolina, LLC, Bertie County, North Carolina.* Prepared by Hodges, Harbin, Newberry & Tribble, Inc. Macon, Ga. November 2002. Includes revised Sheets 2 and 4 of 7, PTC Drawings.
2. *Construction Quality Assurance Report. Cell 10. East Carolina Regional MSW Landfill, Bertie County, North Carolina.* Prepared for Hodges, Harbin, Newberry & Tribble, Inc. Macon, Ga. Prepared by: Bunnell-Lammons Engineering, Inc. Greenville, SC. BLE Project Number J03-1001-41.
Volume 1- Structural Fill, Subgrade Preparation and Compacted Clay Liner Construction. August 27, 2003
Volume 2-Geomembrane Installation. September 10, 2003
Volume 3-Leachate Collection and Protective Cover Layer Installation. September 12, 2003.

PART III: CONSTRUCTION AND DEMOLITION LANDFILL CONDITIONS
(NOT APPLICABLE)

PART IV: LAND CLEARING AND INERT DEBRIS LANDFILL CONDITIONS
(NOT APPLICABLE)

PART V: YARD WASTE CONDITIONS
(NOT APPLICABLE)

PART VI: MISCELLANEOUS TREATMENT AND PROCESSING FACILITIES CONDITIONS

1. *Waste Solidification Plan. Expanded East Carolina Regional MSW Landfill Facility Plan. Waste Solidification Process Modification. Republic Services of North Carolina, LLC. Bertie County, North Carolina.* Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. March 27, 2003.

ATTACHMENT 4

Conditions of Permit to Operate

PART I: GENERAL FACILITY CONDITIONS

1. This permit shall be reviewed on May xxx, 2010 pursuant to 15A NCAC 13B.0201(e). No later than November xx, 2005, East Carolina Environmental shall submit to the Solid Waste Section, for review, an amendment to the permit prepared in accordance with 15A NCAC 13 B .1603(a)(2), or a permit modification prepared in accordance with 15A NCAC 13 B .1603(a)(3), as applicable.
2. In the event of conflicts between this Permit to Operate and previously issued conditions, the conditions of this Permit to Operate shall supersede previously issued conditions.
3. The solid waste management units within this facility shall conform to all operating procedures described in the approved plans, 15A NCAC 13B, and the conditions specified herein.
4. Additional conditions and revision of the approved documents or changes during the operation of the landfill require approval by the North Carolina Solid Waste Section.
5. On or before August 1 of each year, East Carolina Environmental Inc. shall report the amount of waste received at this facility and disposed of in the landfill units to the Solid Waste Section, on forms prescribed by the Section. The reporting period shall be for the previous year, beginning July 1 and ending on June 30. This report shall include the following information:
 - a. The tons of waste received and disposed of, compiled on a monthly basis by county, city, or transfer station of origin and by specific waste type if diverted to a specific unit within the permitted facility.
 - b. A physical measurement of the volume of air space used in the MSW cells shall be performed during the second quarter of the calendar year. The volume in cubic yards, and date of the measurement shall be included in the report.
 - c. The amount of waste, in tons, from scale records, disposed in the MSW cells since October 8, 1993 through the date of the annual volume determination.
 - d. The completed report shall be forwarded to the Regional Waste Management Specialist for the facility. A copy of the completed report shall be forwarded to the County Manager of each county from which waste was received.
6. Ground water quality at this facility is subject to the "Classifications and Water Quality Standards Applicable To The Groundwater of North Carolina", 15A NCAC 2L. This includes, but is not limited to, provisions for detection monitoring, assessment, and corrective action.

PART II:
MUNICIPAL LANDFILL UNIT SPECIFIC CONDITIONS

GENERAL CONDITIONS

1. This permit approves the continued operation of Phases I, 2 and 3, Cells 3-10 of the municipal solid waste landfill unit as well as the on-site environmental management and protection facilities as described in the approved plans.
2. This permit is for operational approval of a permitted disposal capacity of approximately 8,267,000 cubic yards, consistent with the final contours as shown on sheet 15 of Document 3, Attachment 1. The facility has a total gross design capacity of approximately 24,200,000 cubic yards. Gross capacity is the volume calculated from the top of protective cover through the top of the final cover, consistent with the approved contours. Approximately 8,267,000 cubic yards has been constructed and permitted for phases 1,2 and 3. The remaining gross volume of the facility is approximately 15,933,000 cubic yards (Phases IV-VII).

The landfill will be constructed in five additional phases, Phases IV-VII. Construction of cells within each phase shall be in accordance with the Division approved plans. This permit to operate does not approve operation of phases or cells outside of Phase III, Permit to Operate issued September 23, 2003.

3. This facility is permitted for an average annual disposal rate of approximately 584,000 tons. This corresponds to an approximate disposal rate of 1600 tons per day based on 365 operating days per year, with a maximum variance of 10% facility total within any one annual reporting year as set forth in Document 9, Attachment 1. The landfill is permitted to receive solid waste generated by and in the counties of North Carolina, consistent with local government waste management plan(s), with local government approval and contract and the franchise agreement, and as defined in 15A NCAC 13B .0101(36), except where prohibited by North Carolina General Statutes Article 9 of Chapter 130A, and rules adopted by the Commission for Health Services.

MONITORING AND REPORTING

4. Ground water monitoring at this unit shall be as prescribed by the appropriate requirements of 15A NCAC 13B .1630-.1637 and the approved monitoring plan.
5. A readily accessible unobstructed path shall be cleared and maintained so that four-wheel drive vehicles may access monitoring well locations at all times.
6. A field log book which details all development, sampling, repair, and all other pertinent activities associated with each monitoring well and all sampling activities associated with each surface water and leachate sampling location shall be kept as part of the permanent facility record.

7. Records of all ground-water, surface water and leachate analytical data shall be kept as part of the permanent facility record.
8. Ground water monitoring wells and surface water sampling locations must be sampled for Appendix I constituents at least semi-annually according to the specifications outlined in the approved water quality monitoring plan and the current policies and guidelines of the Section in effect at the time of sampling.
9. Reports of the analytical data for each water quality sampling event shall be submitted to the Section within 60 days of the respective sampling event. Analytical data shall be submitted in a manner prescribed by the Section.
10. The four independent samples which comprise the initial baseline sampling event shall be collected from each new ground water monitoring well and the report shall be submitted to the Section within twelve months after issuance of the Permit to Operate.
11. Untreated leachate shall be sampled and analyzed at least semi-annually concurrently with the ground and surface water sampling. The leachate shall be analyzed for all Appendix I constituents, pH, specific conductance, BOD, COD, nitrates, sulfates, and phosphates. Test results shall be submitted to the Section along with ground and surface water test results. In the event leachate is recirculated, additional leachate sampling may be required.

OPERATIONAL CONDITIONS

12. The landfill unit shall conform to all operating requirements described in the approved plans, 15A NCAC 13B .1626, and the conditions specified herein.
13. The use of tarps as alternative daily cover is approved. Use shall be consistent with prior approved plans. The use of different alternative daily cover requires approval, prior to implementation, by the Solid Waste Section. Requests for alternative daily cover approval must include a comprehensive use and demonstration for the effectiveness plan developed according to Section guidelines and consistent with the approved plan. Plans which are approved by the Section will be incorporated into, and made a part of, the approved documents found in Attachment 3.
14. The use of leachate recirculation as a leachate management tool is approved. Leachate recirculation will be conducted according to the approved plan, Document 1, Attachment 1.
15. The MSWLF unit is permitted to co-dispose of wastewater treatment sludge generated within the facility's approved service area, and subject to the terms and procedures of the approved plan.
16. Closure or partial closure of any MSWLF unit shall be in accordance with the Closure Plans described in the approved plans and 15A NCAC 13B .1629. Final Closure Plans shall be submitted to the Division at least 90 days prior to implementation. Closure and Post-closure plans, including financial instruments shall be updated annually pursuant to 15A NCAC 13 B .1628.

Permit No. 08-03 22

HODGES, HARBIN, NEWBERRY & TRIBBLE, INC.

CONSULTING ENGINEERS

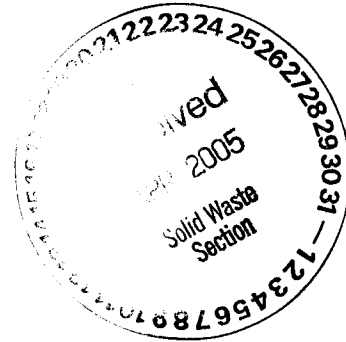
484 MULBERRY STREET • SUITE 265 • MACON, GEORGIA 31201
P. O. Box 974 • MACON, GEORGIA 31202 -0974

H. LOWRY TRIBBLE, JR., PE
WILLIAM F. HODGES, PE
HAROLD L. NEWBERRY, PE
J. STEVEN HARBIN, PE
W. MICHAEL STUBBS, PE

TELEPHONE (478) 743-7175
FAX (478) 743-1703

April 18, 2005

Mr. Edward F. Mussler, III, P.E.
NC Department of Environment & Natural Resources
1646 Mail Service Center
Raleigh, NC 27699-1646



**Re: East Carolina Regional MSW Landfill
Methane Monitoring Probe
HHNT Project No. 1001-100-04**


Dear Mr. Mussler:

We have enclosed two (2) copies of the "Methane Monitoring Probe Installation Report: MM-7R" for your review and approval.

Should you have any questions, please call.

Sincerely,

HODGES, HARBIN, NEWBERRY AND TRIBBLE, INC.


William F. Hodges, P.E.
Professional Engineer

WFH/jlm

cc: Bill Cooksey, w/encl.
Ray Hoffman, P.E., w/encl.
Matt Cheek, w/o encl.
Michael Stubbs, P.E., w/o encl.



North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

April 18, 2005

Mr. William F. Hodges, P.E.
Hodges, Harbin, Newberry & Tribble, Inc.
484 Mulberry Street, Suite 265
Macon, Georgia 31201

RE: Design Hydrogeologic Report, Phase 4 (Cells 11-12)
East Carolina Regional MSW Landfill
Bertie County, N.C., Permit No. 08-03

Dear Mr. Hodges,

The above referenced Design Hydrogeologic Report for Phase 4 of the East Carolina Regional MSW Landfill in Bertie County N.C. has been reviewed by the Solid Waste Section for hydrogeologic concerns. There are several items that require clarification and/or revision before the hydrogeologic review can be completed. Please have your Geologic Consultant respond to the following questions and comments:

vii The first paragraph of the EXECUTIVE SUMMARY references "site suitability" and "suitability criteria". Site suitability has already been established. This study is to establish design criteria for the proposed new phase 4 development.

3.5.4 A drawing needs to be provided that shows what portion of the current drainage ditch is to be backfilled and the location of the new relocated drainage ditch to be rerouted around Phase 4.

Table 1: For the first sample in Table 1, the Test Boring Report in Appendix B and the Monitoring Well Construction Diagram in Appendix C would indicate this sample to be a Clayey Sand (SC) representative of Layer III. For the Effective Porosity estimated values using the Textural Classification Triangle, the particle size criteria are different from the criteria used for the USCS Soil Classifications. If the correct particle size criteria are used, this will result in different Effective Porosity value estimates for many of the samples.

Table 2 The Ground Elevations and TOC Elevations for a number of the piezometers are different from those on the Piezometer Diagrams in Appendix C. These values would also affect the Screened Interval Elevations. Some of the Boring Depths and a few of the Geologic Layer Screened designations also appear to be inconsistent with the Boring Logs in the Appendices. In Table 2, and other tables, there appears to be some inconsistency in rounding values and in the use of significant figures. This results in some confusing and sometimes apparently erroneous data in the tables. It is best to use the most accurate data available for all intermediate values used in calculations, and then round off the resulting product to the appropriate number of significant figures. For Table 2, this problem has affected the Screened Interval Depths and therefore also the Screened Interval Elevations. The Test Boring Record in Appendix C for Piezometer PZ-18A indicates this piezometer to be screened in the Silty Clay aquitard identified as Layer I.

Tables 3, 4, and 5: As in Table 2, the Ground Elevations and TOC Elevations for a number of the piezometers are different from those on the Piezometer Diagrams in Appendix C.

Table 6: Based on the information in Appendix H, I was not able to arrive at the same hydraulic conductivity value presented in Table 6 for Well GW-1. What value was used for the aquifer thickness in converting the Transmissivity value to a Hydraulic Conductivity value? As previously referenced, according to the Appendices, Piezometer PZ-18A is screened in the upper Layer I clay unit. How were the Geometric Mean Hydraulic Conductivity values calculated?

Table 7: Corrections to Tables 1 and 6 will affect the values in Table 7.

Table 8: The TOC Elevation for PZ-102A appears to be incorrect. I calculated different Midpoint Screen Elevations and Vertical Separation Between Well Screen values for most of the values presented in the Table. Some of the differences may be due to the problems previously referenced regarding rounding values and use of significant figures. I also obtained different results for the Head Difference and Vertical Hydraulic Gradient values for the PZ-98 and PZ-102 well pairs. Refer to previous comments for Table 1 regarding correct use of the Textural Classification Triangle for calculations of Effective Porosity values.

Table 8 (continued): Even using the data currently presented in Table 8, I calculated different Vertical Flow Velocity values for 3 of the 4 values presented in the Table.

Figure 5: Either Figure 5 needs to be revised or there needs to be another figure provided focusing specifically on the Phase 4 area. The Bottom Of Layer I Elevations for the following borings do not match the data on the Boring Logs and Piezometer Construction Records provided in Appendices B and C: PZ-9A, PZ-11A, PZ -18A & B, PZ-41A, PZ-78A, and GW-14.

Figure 6: Either Figure 6 needs to be revised or there needs to be another figure provided focusing specifically on the Phase 4 area. The thickness of the Layer I unit at location PZ-18 should be 17 feet.

Figure 7: Either Figure 7 needs to be revised or there needs to be another figure provided focusing specifically on the Phase 4 area. The thickness of the Layer III unit at location PZ-41 should be 8 feet.

Figure 8: Figure 8 is very useful. In addition to Figure 8, there needs to be another figure that focuses specifically on the Phase 4 area.

Figure 9: The water table elevation for PZ-8A does not match the data in Table 4.

Figure X: An additional figure is needed that shows the proposed base grades for Phase 4, Cells 11 and 12.

Appendix C: As previously referenced, some of the Ground Surface Elevations and Top Of Casing Elevations in the Tables are inconsistent with those on the Piezometer Diagrams.

Appendix E: As previously referenced, the Textural Classification Triangle uses different criteria for defining Sand, Silt, and Clay from the USCS Soil Classification System. If correct data is used for the soil sizes, then different Specific Yield (Effective Porosity) values would be estimated from those currently in the Report.

Mr. William Hodges
East Carolina Landfill
Page 4

Appendix H: It is not clear how to interpret the information provided for PZ-18 and PZ-18D in determining hydraulic conductivity values. As previously referenced, I was not able to calculate the hydraulic conductivity value for GW-1 that is in Table 6, based upon the information provided in Appendix H.

Appendix I: The small base grade drawing included in Appendix I for Cell 11 is somewhat confusing, appearing to have two sets of different base grade lines. The two Vertical Separation Tables do not appear to factor in the extra one foot for capillarity that is referenced in the text of the Report. The Groundwater Elevation Separation values do not appear to match the other data in these tables. Although I am not presently clear on the proposed subgrade elevations, based on the small drawings in Appendix I, it appears some of the Clay Subgrade Elevations on these two tables do not match the drawings. There appears to be an extraneous Q suffix attached to Boring PZ-86A. The Groundwater Elevation (Bottom of Layer I) for Boring PZ-11A is inconsistent with the Boring Log.

Please note the comments and questions raised above and have your Geologic Consultant provide additional information and revisions as needed. If you or your Geologic Consultant have any questions, or wish to schedule a meeting to discuss the items referenced in this letter, please call me at (919) 508-8507.

Sincerely,

Bobby Lutfy

Bobby Lutfy
Hydrogeologist
Solid Waste Section

cc: Jim Barber
Ed Mussler
John Crowder
Chuck Boyette
Mark Preddy
Central File

Solid Waste section
Solid Waste Section
SWS Wilmington
SWS Washington
Bunnell-Lammons Engineering



BUNNELL-LAMMONS ENGINEERING, INC.

GEOTECHNICAL, ENVIRONMENTAL AND CONSTRUCTION MATERIALS CONSULTANTS

METHANE MONITORING PROBE INSTALLATION REPORT: MM-7R

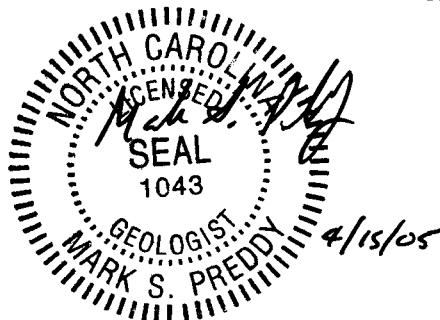
**EAST CAROLINA REGIONAL MSW LANDFILL
BERTIE COUNTY, NORTH CAROLINA**

Prepared for:

**HODGES, HARBIN, NEWBERRY, & TRIBBLE, INC.
484 Mulberry Street, Suite 265
Macon, Georgia 31201**

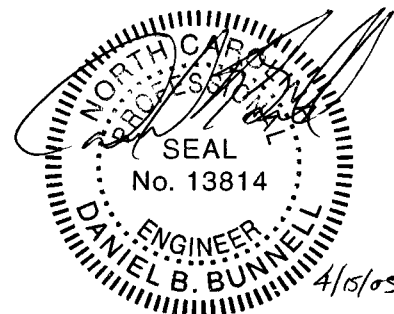
Prepared By:

**BUNNELL-LAMMONS ENGINEERING, INC.
6004 Ponders Court
Greenville, South Carolina 29615**



April 15, 2005

BLE Project Number J04-1001-49





BUNNELL-LAMMONS ENGINEERING, INC.
GEOTECHNICAL, ENVIRONMENTAL AND CONSTRUCTION MATERIALS CONSULTANTS

April 15, 2005

Hodges, Harbin, Newberry, & Tribble, Inc.
484 Mulberry Street, Suite 265
Macon, Georgia 31201

Attention: Mr. William F. Hodges, P.E.

Subject: **Methane Monitoring Probe Installation Report: MM-7R**
East Carolina Regional MSW Landfill
Bertie County, North Carolina
BLE Project Number J04-1001-49

Gentlemen:

As authorized, Bunnell-Lammons Engineering, Inc. has performed monitoring probe installation at the site. The enclosed report describes the work performed and presents the results obtained. The purpose of this project was to install a replacement methane monitoring probe for a probe that was abandoned in the past due to site construction activities.

We appreciate the opportunity to serve as your hydrogeological consultant on this project and look forward to working with you on future projects. If you have any questions, please contact us at (864) 288-1265.

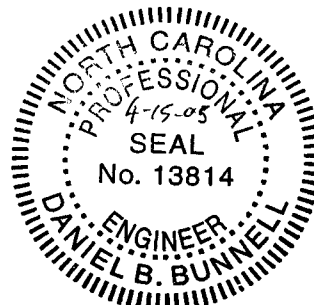
Sincerely,

BUNNELL-LAMMONS ENGINEERING, INC.

Mark S. Preddy, P.G.
Senior Hydrogeologist
Registered, North Carolina #1043

Daniel B. Bunnell, P.E.
Principal Geotechnical Engineer
Registered, North Carolina #13814

c:\msp files\east carolina lf nc\100149\1001-49.doc



1.0 PROJECT INFORMATION

The site is located in Bertie County about 7.5 miles northwest of Windsor, North Carolina, at the intersection of county roads SR 1221 and SR 1225 (Figure 1). The MSW landfill is owned and operated by Republic Services of North Carolina, LLC (Republic).

Methane probe MM-7 was abandoned in May 2000 because it was in the way of daily landfill construction activities between the active borrow pit and the waste cells. Since that time, routine landfill gas monitoring at the location has been monitored via a bar-bole punch. Since the location is no longer in the way of site construction activities, Republic contracted BLE to perform the installation of a replacement probe, which is documented in this report.

2.0 FIELD EXPLORATION

2.1 GENERAL

Field activities were performed on September 22, 2004. BLE drilling services (North Carolina Drillers License No. 2858) performed the probe installation, under the direction of a North Carolina-licensed geologist. The new methane monitoring probe location was surveyed for horizontal and vertical control, by Donaldson, Garrett, & Associates of Charlotte, North Carolina, after completion of the drilling activities.

2.2 SOIL BORING AND PROBE CONSTRUCTION

Replacement methane monitoring probe MM-7R was installed east of Cell 9, at the location shown on the attached Monitoring Probe Location Plan (Figure 2). The probe was installed in a soil boring that was advanced using a truck-mounted Geoprobe 6600 drilling rig by mechanically twisting a continuous flight of 6.25-inch diameter steel hollow-stem augers into the soil.

The soil descriptions recorded on field boring log (Appendix A) and final soil test boring log (Appendix B) are based on visual examination by a North Carolina-licensed geologist and conform



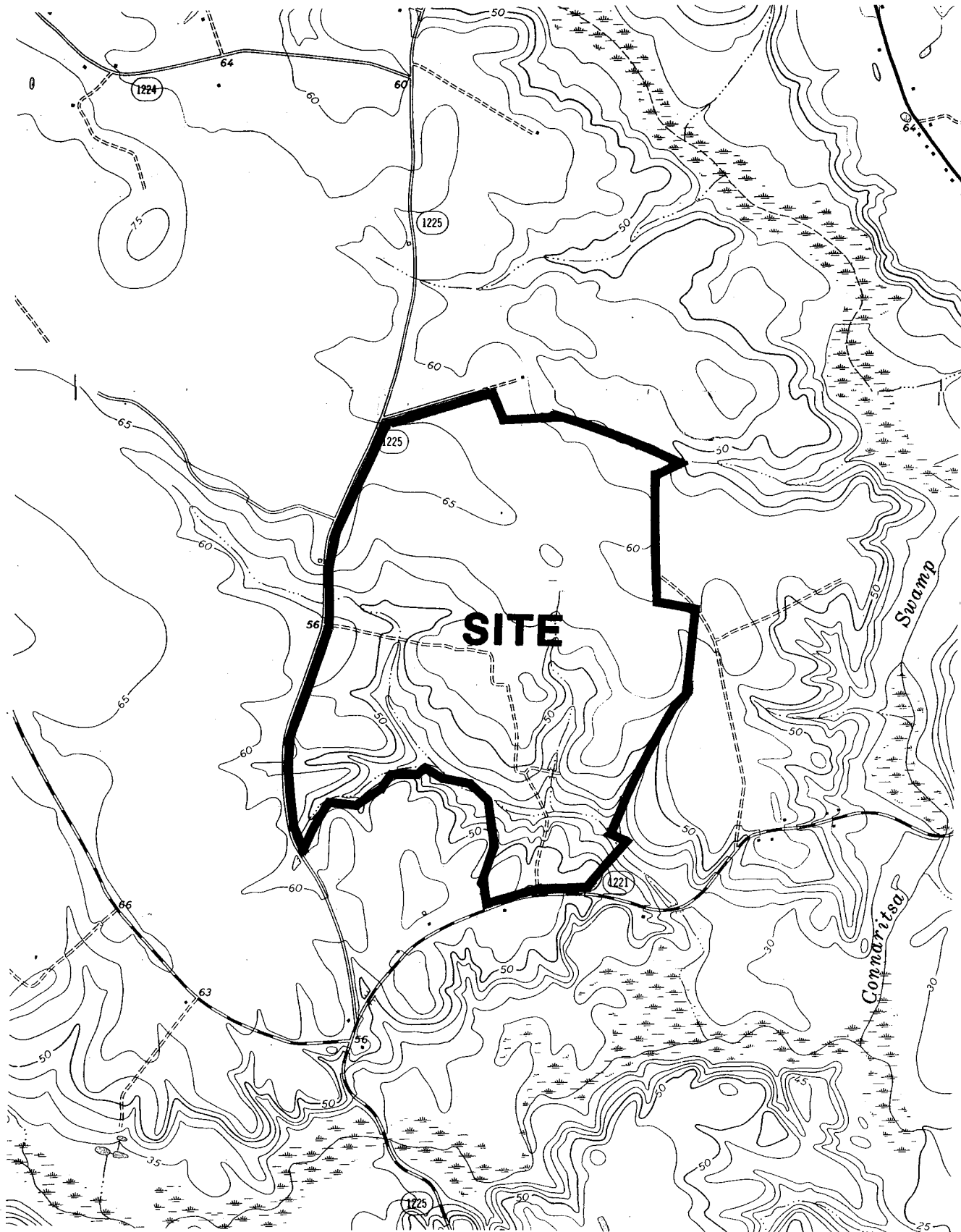
to the Unified Soil Classification System (USCS). An information sheet describing the USCS terms used is included in Appendix B. The boring encountered gray, fine sandy, silty clay, which is defined at the site as *Layer I*.

MM-7R consists of 1-inch Schedule 40 polyvinyl chloride (PVC) casing with flush-threaded joints installed in the augered borehole. The bottom 5-foot section of the probe (4.5 to 9.5 feet bgs) is a manufactured well screen with 0.020-inch wide machined slots. Washed pea gravel was placed around the outside of the pipe to 0.5-feet above the top of the well screen (4.0 to 9.5 feet bgs). A one-foot thick layer of filter sand was placed on top of the pea gravel (3.0 to 4.0 feet bgs). A two foot thick layer of bentonite was installed on top of the filter sand backfill to seal the monitoring probe at the desired level (1.0 to 3.0 feet bgs). Concrete was placed in the upper 1.0 feet. A PVC cap and a lockable 4-inch diameter protective steel cover were placed over the probe. A 4-foot by 4-foot square concrete pad was put at the base of the probe. A monitoring probe construction record is attached in Appendix B.

3.0 CONCLUSION

In conclusion, methane monitoring probe MM-7R was installed as a replacement of probe MM-7 that was abandoned in 2000. Installation of the probe was accomplished in accordance with the facility permit and the Division of Solid Waste Management rules.

FIGURES



REFERENCE:
USGS TOPOGRAPHIC MAP, 7.5 MINUTE SERIES,
AULANDER AND REPUBLICAN, N.C. QUADRANGLES, 1972.

| | | | |
|-----------|-----|---------|-------------|
| DRAWN: | AEH | DATE: | 07-14-00 |
| CHECKED: | GLW | CAD: | ECLF28-SVM |
| APPROVED: | | JOB NO: | J00-1001-28 |

IBLE inc.
BUNNELL-LAMMONS ENGINEERING, INC.
1200 WOODRUFF ROAD, SUITE B-7
GREENVILLE, SOUTH CAROLINA 29607
PHONE: (864)288-1265 FAX: (864)288-4430

SITE VICINITY MAP
EAST CAROLINA REGIONAL MSW LANDFILL
BERTIE COUNTY, NORTH CAROLINA

FIGURE

1

APPENDICES



North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

June 16, 2005

2005

MEMORANDUM

To: Ed Mussler, Environmental Engineer
From: Bobby Lutfy, Hydrogeologist *BL*
RE: Permit Application For Phase 4 Construction Permit
Republic Services Of North Carolina, LLC
East Carolina MSW Landfill
Bertie County, Permit No. 08-03

*0803
EAST CAROLINA
Bertie County
Hydro-Granwater
Folder*

The hydrogeologic review is now complete for the above referenced Permit Application For Phase 4 (cells 11 and 12) Construction of the Republic Services East Carolina Regional MSW Landfill in Bertie County. With the revisions received June 10, 2005, the "Water Monitoring Procedures" in Section V of Volume 2 of the Permit Application appear consistent with the Rules and Policies of the Solid Waste Section. With the revisions of May 2, May 26, and June 3, 2005, the revised Design Hydrogeologic Report for Phase 4 (Cells 11-12) of the East Carolina Regional MSW Landfill meets the requirements of the Solid Waste Management Rules.

You may also want to review Appendix I of the Design Hydrogeologic Report, which contains "Geotechnical Calculations", including settlement calculations. If these calculations appear to be satisfactory to you for engineering considerations, then the Design Hydrogeologic Report can be approved. Three copies of the Design Hydrogeologic Report have been provided.

cc: Jim Barber

Permit # 0803

HODGES, HARBIN, NEWBERRY & TRIBBLE, INC.

CONSULTING ENGINEERS

484 MULBERRY STREET • SUITE 265 • MACON, GEORGIA 31201
P. O. BOX 974 • MACON, GEORGIA 31202 -0974

H. LOWRY TRIBBLE, JR., PE
WILLIAM F. HODGES, PE
HAROLD L. NEWBERRY, PE
J. STEVEN HARBIN, PE
W. MICHAEL STUBBS, PE

TELEPHONE (478) 743-7175
FAX (478) 743-1703

June 9, 2005

Mr. Edward F. Mussler, III, P.E.
NC Department of Environment & Natural Resources
1646 Mail Service Center
Raleigh, NC 27699-1646

**Re: East Carolina Regional Landfill
Phase 4 Construction Permit Application
HHNT Project No. 1001-354-01**

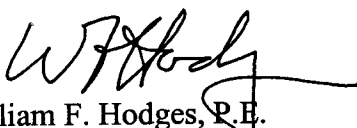
Dear Mr. Mussler:

I have enclosed the "Water Monitoring Procedures" plan which has been sealed by both professional engineers and a professional geologist. This was requested by Mr. Bobby Lufty.

Should you have any questions, please call.

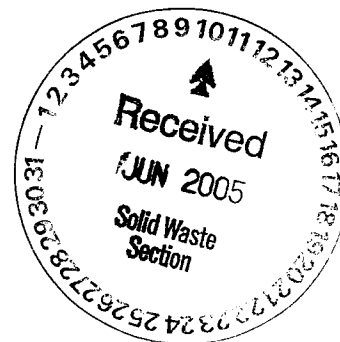
Sincerely,

HODGES, HARBIN, NEWBERRY AND TRIBBLE, INC.


William F. Hodges, P.E.
Professional Engineer

WFH/gr

cc: Bill Cooksey
Ray Hoffman, P. E.
Matt Cheek



HODGES, HARBIN, NEWBERRY & TRIBBLE, INC.

CONSULTING ENGINEERS

484 MULBERRY STREET • SUITE 265 • MACON, GEORGIA 31201
P. O. BOX 974 • MACON, GEORGIA 31202 -0974

H. LOWRY TRIBBLE, JR., PE
WILLIAM F. HODGES, PE
HAROLD L. NEWBERRY, PE
J. STEVEN HARBIN, PE
W. MICHAEL STUBBS, PE

TELEPHONE (478) 743-7175
FAX (478) 743-1703

May 9, 2005

Mr. Bobby Lutfy
NC Department of Environment & Natural Resources
1646 Mail Service Center
Raleigh, NC 27699-1646

**Re: East Carolina Regional MSW Landfill
Phase 4 (Cells 11 – 12)
Design Hydrogeologic Report
HHNT Project No. 1001-354-01**

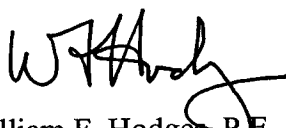
Dear Mr. Lutfy:

We have enclosed Bunnell-Lammons Engineering, Inc. response to your April 18, 2005 comment letter.

Should you have any questions, please call.

Sincerely,

HODGES, HARBIN, NEWBERRY AND TRIBBLE, INC.



William F. Hodges, P.E.
Professional Engineer

WFH/jlm

cc: **Ed Mussler, III, P.E., w/encl.**
Ray Hoffman, P.E., w/encl.
Bill Cooksey, w/encl.
Matt Cheek, w/o encl.
Michael Stubbs, P.E., w/o encl.



IBLE INC.
BUNNELL-LAMMONS ENGINEERING, INC.
GEOTECHNICAL, ENVIRONMENTAL AND CONSTRUCTION MATERIALS CONSULTANTS

0803
Bertie County
East Carolina
Hydro/geological
water
file.

May 2, 2005

Hodges, Harbin, Newberry, & Tribble, Inc.
484 Mulberry Street, Suite 265
Macon, Georgia 31201

Attention: Mr. William F. Hodges, P.E.

Subject: **Revisions to the *Design Hydrogeologic Report, Phase 4 (Cells 11 and 12)* to address NCSWS Preliminary Review Comments dated April 18, 2005**
East Carolina Regional MSW Landfill
Bertie County, North Carolina
BLE Project Number J04-1001-46

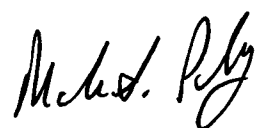
Gentlemen:

The North Carolina Solid Waste Section (NCSWS) has completed their preliminary technical review of the *Design Hydrogeologic Report* (DHR) dated January 7, 2005, for the Phase 4 area (Cells 11 and 12) at the East Carolina Regional MSW Landfill prepared by Bunnell-Lammons Engineering, Inc. (BLE). The NCSWS preliminary review comments were outlined in a letter from the NCSWS dated April 18, 2005. This letter addresses the NCSWS review comments and provides supplemental and revised information where requested. Additionally, a revised copy of the DHR is attached which incorporates the changes mentioned in this letter.

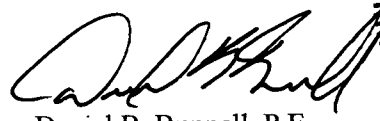
We appreciate the opportunity to serve as your hydrogeological and geotechnical consultant on this project and look forward to continue working with you at the East Carolina Regional MSW Landfill. If you have any questions, please contact us at (864) 288-1265.

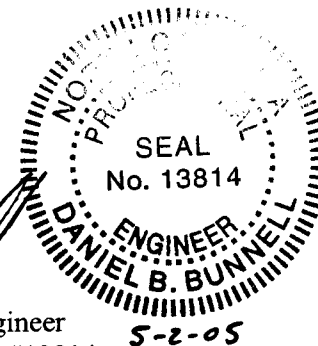
Sincerely,

BUNNELL-LAMMONS ENGINEERING, INC.


Mark S. Preddy, P.G.
Senior Hydrogeologist
Registered, North Carolina #1043




Daniel B. Bunnell, P.E.
Principal Geotechnical Engineer
Registered, North Carolina #13814



Attachment:

Design Hydrogeologic Report, Phase 4 (Cells 11 and 12), dated January 7, 2005 (Revised May 2, 2005)

c:\msp files\east carolina lf nc\100146\1001-46 review comments.doc



PROJECT INFORMATION

The East Carolina Regional Landfill (landfill) is owned and operated by East Carolina Environmental, Inc. (ECE) of Lexington, Kentucky. The site is located at 1922 Republican Road in Bertie County, 7.5 miles northwest of Windsor, North Carolina near the community of Aulander (Figure 1). The site consists of about 641 acres, which was formerly rural farmland and pine forest. The landfill was permitted for operation in October 1993.

The landfill development is being implemented in phases, as new solid waste cells are required. Phase 1 of the landfill consisted of Cells 3, 4, 5 and 6; Phase 2 consisted of Cells 7 and 8; Phase 3 consisted of Cells 9 and 10. To date, Cells 3 through 10 are active. Phase 4 of the landfill will consist of Cells 11 and 12.

A *Design Hydrogeologic Report* (DHR) for the Phase 4 area (Cells 11 and 12) dated January 7, 2005 was prepared by BLE (Job Number J04-1001-26) and submitted to the NCSWS. The DHR addressed the geological, hydrogeological, and geotechnical investigation required for the site permitting and design process under applicable North Carolina Rules for Solid Waste Management 15A NCAC 13B .1623 (b).

Mr. Bobby Lutfy of the NCSWS reviewed the DHR and conveyed questions and comments in a letter dated April 18, 2005. The information provided below addresses Mr. Lutfy's comments and has been incorporated into the attached revised DHR.

RESPONSE TO REVIEW COMMENTS BY THE NCSWS

NCSWS Item No. 1:

Page vii: The first paragraph of the EXECUTIVE SUMMARY references "site suitability" and suitability criteria". Site suitability has already been established. This study is to establish design criteria for the proposed new Phase 4 area.

Supplemental Information:

We concur with the NCSWS comment and the text of the Executive Summary has been revised.

NCSWS Item No. 2:

Section 3.5.4: A drawing needs to be provided that shows what portion of the current drainage ditch is to be backfilled and the location of the new relocated drainage ditch to be routed around Phase 4.

Supplemental Information:

Figure 11 has been added to the DHR, which includes the top of the clay liner elevation in the cell area along with fill embankments in the areas outside of the cell footprint. The figure shows the drainage ditch being re-routed at the base of the access road fill embankment along the west, to north, to east sides of Phase 4. The existing ditch in the cell footprint will be backfilled with Layer I clay of 1.0×10^{-7} cm/sec permeability quality. Engineering drawings are provided in HHNT's Phase 4 Engineering Plans (Project Number 1001-354-01).

NCSWS Item No. 3a:

Table 1: The USCS classification of the first sample on Table 1 (GW-14; SP) does not match the field log (Appendix B; SC) or the final boring log (Appendix C; SC).

Supplemental Information:

The USCS classification has been changed to SC for GW-14 on Table 1.

NCSWS Item No. 3b:

Table 1: For the effective porosity estimated values using the Textural Classification Triangle, the particle size criteria are different from the particle size criteria used for the USCS classification.

Supplemental Information:

The effective porosity values have been re-calculated using the particle size criteria on the chart. The changes in effective porosity were minor, and have been included in Table 1, Appendix E, and the text of the report in Section 3.4.2.

NCSWS Item No. 4a:

Table 2: The ground elevations and TOC elevations for a number of piezometers are different from those on the piezometer diagrams in Appendix C. These values would also affect the screened interval elevations (as well as Layer depths, etc.).

Supplemental Information:

The elevation data on Table 1 has been double-checked and is correct. Table 1 elevation data was also cross-referenced with the boring logs in Appendix C. The only discrepancies were with the old boring logs that were photocopied from historical reports (PZ-9A, PZ-11A, PZ-18A, and PZ-18B). Since the time of the generation of these older boring logs, a survey error was detected of which the correct values are presented on Table 1. One other discrepancy involved piezometer PZ-78A which was damaged, repaired, and re-surveyed. We did not re-generate these logs and they are presented as-is from the historical reports in Appendix C; however, the survey data on Table 1 includes the most current and accurate values.

NCSWS Item No. 4b:

Table 2: Some of the boring depths and a few of the geologic Layer designations appear to be inconsistent with the boring logs in the appendices.

Supplemental Information:

The boring depth information of the borings on Table 2 was inconsistent for many of the wells and piezometers performed in the past. Either the depth represented: 1) the exploratory sample boring depth, 2) the auger boring depth used for well installation (next to the sample boring), or 3) the total well depth below ground surface. To resolve the inconsistencies, two additional columns were added to Table 2 titled "Exploratory Boring Depth" and "Piezometer Depth". The Exploratory Boring Depth represents the depth of the soil test boring used to describe the subsurface lithology at the drill location. The Piezometer Depth represents the total depth of the well or piezometer below ground surface.

Only one piezometer (PZ-18A) had the geologic layer screened designation changed from Layer II to Layer I. The other layer designations were accurate. Some of the Layer II piezometers may also

screen a portion of the Layer I or Layer III aquitards, but the water level in the piezometer will be representative of the Layer II aquifer. Likewise, some of the Layer IV piezometers may also screen a portion of the Layer III aquitard, but the water level in the piezometer will be representative of Layer IV aquifer.

NCSWS Item No. 4c:

Table 2: In Table 2, and other tables, there appears to be some inconsistency in rounding values and in the use of significant figures.

Supplemental Information:

The screened interval elevations have been rounded to the nearest tenth of a foot. Likewise, data on Table 6 (Summary of In-Situ Hydraulic Testing – Slug Test Results), Table 7 (Interstitial Ground-Water Flow Velocity Calculations) and Table 8 (Vertical Hydraulic Gradients and Flow Velocities) have been corrected to reflect the appropriate number of significant digits.

NCSWS Item No. 5:

Tables 3, 4, and 5: As in Table 2, the Ground Elevations and TOC Elevations for a number of the piezometers are different from those on the piezometer diagrams in Appendix C.

Supplemental Information:

As mentioned above with NCSWS Item No. 4a, the only discrepancies included old piezometers with bad survey data that were corrected (PZ-9A, PZ-11A, PZ-18A, and PZ-18B) and one piezometer that was repaired and re-surveyed (PZ-78A). No corrections were needed on Tables 3, 4, and 5 regarding ground to TOC elevations.

Additional changes to Tables 4 and 5 included: 1) the time-of-boring and 24-hour water levels were checked and made consistent with the depths to water on the boring logs in Appendix C; and 2) additional rounds of water levels were collected during January, February, March, and April 2005.

NCSWS Item No. 6a:

Table 6: Based on the information in Appendix H, I was not able to arrive at the same hydraulic conductivity value presented on Table 6 for well GW-1. What aquifer thickness was used to calculate hydraulic conductivity from transmissivity?

Supplemental Information:

Table 6 was using 12 feet for GW-1. Table 6 has been changed for GW-1 to use an aquifer thickness of 10 feet to be consistent with other Layer 4 piezometers.

NCSWS Item No. 6b:

Table 6: As previously referenced, according to the appendices, piezometer PZ-18A is screened in the Layer I clay unit.

Supplemental Information:

The "Aquifer Unit" has been changed on Table 6 for PZ-18A to be Layer I. Likewise, the statistical formulas at the bottom of Table 6 have been modified to account for this change in designation.

NCSWS Item No. 6c:***Table 6: How were the geometric mean hydraulic conductivity values calculated?*****Supplemental Information:**

The tables for this report are generated using Microsoft Excel® software. Excel® has numerous statistical functions to analyze datasets, of which one is *geometric mean*.

The mathematical formula for geometric mean is $\sqrt[n]{y_1 y_2 y_3 \dots y_n}$ where y is each number in an array of n numbers. The geometric mean of n numbers is the n th root of their product.

The statistical measure known as the geometric mean is commonly used to determine the “average value” for a data set that has a log normal (non normal) distribution. Data sets with log normal distributions are common in nature and, for example, include values of hydraulic conductivity and/or ground-water flow velocity.

Arithmetic means will yield misleading results if calculated for non-normally distributed data. For example, the arithmetic mean for a data set consisting of the values (7, 10, 11, 15, 18, 100, and 1,000) would be 166. However, the geometric mean for the same data set would be 30. It is obvious from the example that extremely large values (e.g. 1,000) in the data set skew the arithmetic mean to an unrealistically high value. This is especially problematic when approximating average ground-water flow velocity. Therefore, most scientists and statisticians use a geometric mean to describe the average value of a non-normal data set.

NCSWS Item No. 7:***Table 7: Corrections to Tables 1 and 6 will affect the values in Table 7.*****Supplemental Information:**

The significant digits were corrected. Additionally, Table 7 is linked to Table 6; therefore, the Table 6 corrections are incorporated into Table 7.

NCSWS Item No. 8a:***Table 8: The TOC elevation for PZ-102A appears to be incorrect.*****Supplemental Information:**

The TOC elevation matches the survey data on Table 3, as well as the other tables and the boring log in Appendix C. Therefore, the TOC elevation for PZ-102A is correct on Table 8.

NCSWS Item No. 8b:***Table 8: I calculated different Midpoint Screen Elevations and Vertical Separation Between Well Screen values for most of the vales presented on the table. Some of the differences may be due to the problems previously referenced regarding rounding values and significant figures. I also obtained different results for the Head Difference and Vertical Hydraulic Gradient values for PZ-98 and PZ-102 well pairs.***

Supplemental Information:

The values on Table 8 for screen midpoint, hydraulic gradient, and hydraulic conductivity have been rounded to the appropriate number of significant digits, and the vertical flow velocity was re-calculated.

NCSWS Item No. 8c:

Table 8: Refer to previous comments for Table 1 regarding correct use of the Textural Classification Triangle for calculations for Effective Porosity.

Supplemental Information:

As described in NCSWS Item No. 3b, the effective porosity values were re-calculated using the grain size criteria presented with the Textual Classification Triangle.

NCSWS Item No. 9:

Figure 5: Either Figure 5 needs to be revised or there needs to be another figure provided focusing specifically on the Phase 4 area. The Bottom of Layer I Elevations for the following borings do not match the data on the Boring Logs and Piezometer Construction Records in Appendix B and C: PZ-9A, PZ-11A, PZ-18A&B, PZ-41A, PZ-78A, and GW-14.

Supplemental Information:

A replacement figure was generated that covers the Phase 4 area at a scale of 1-inch = 100-feet.

As mentioned above with NCSWS Item No. 4a, the survey data for PZ-9A, PZ-11A, PZ-18A, and PZ-18B was corrected, and PZ-78A was repaired and re-surveyed. There is no discrepancy at the PZ-41A/B location; the data matches PZ-41B. Data was added to the figure regarding GW-14 and re-contoured in that vicinity. Additionally, the area around PZ-18A/B was re-contoured to accommodate the correction for Layer I thickness described below on Figure 6.

NCSWS Item No. 10:

Figure 6: Either Figure 6 needs to be revised or there needs to be another figure provided focusing specifically on the Phase 4 area. The thickness of the Layer I unit at location PZ-18 should be 17 feet.

Supplemental Information:

A replacement figure was generated that covers the Phase 4 area at a scale of 1-inch = 100-feet.

The thickness of Layer I at PZ-18 was corrected from 15 feet to 17 feet, and then re-contoured in its vicinity.

NCSWS Item No. 11:

Figure 7: Either Figure 7 needs to be revised or there needs to be another figure provided focusing specifically on the Phase 4 area. The thickness of the Layer III unit at location PZ-41 should be 8 feet.

Supplemental Information:

A replacement figure was generated that covers the Phase 4 area at a scale of 1-inch = 100-feet.

The thickness of Layer III at PZ-41 was corrected from 7.5 feet to 8.0 feet.

NCSWS Item No. 12:

Figure 8: Figure 8 is very useful. In addition to Figure 8, there needs to be another figure that focuses specifically on the Phase 4 area.

Supplemental Information:

Existing Figure 8 has been re-numbered as Figure 8-A, and an additional figure has been added that covers the Phase 4 area at a scale of 1-inch = 100-feet (Figure 8-B).

NCSWS Item No. 13:

Figure 9: The water table elevation for PZ-8A does not match the data in Table 4.

Supplemental Information:

The water elevation at PZ-8A was corrected.

NCSWS Item No. 14:

Figure X: An additional figure is needed that shows that the proposed base grades for Phase 4, Cells 11 and 12.

Supplemental Information:

Figure 11 has been added to the DHR, which includes the top of the clay liner elevation in the cell area along with fill embankments in the areas outside of the cell footprint. Additionally, Figure 11 shows the bottom of Layer I contour elevations. An elevation of one foot above the bottom of the Layer I contour elevation was used as the seasonal high water level for design purposes at the site.

Engineering drawings are provided in HHNT's Phase 4 Engineering Plans (Project Number 1001-354-01).

NCSWS Item No. 15:

Appendix C: As previously referenced, some of the Ground Surface Elevations and TOC Elevations in the Tables are inconsistent with those on the Piezometer Diagrams.

Supplemental Information:

As mentioned above with NCSWS Item No. 4a, the only discrepancies included old piezometers with bad survey data that were corrected (PZ-9A, PZ-11A, PZ-18A, and PZ-18B) and one piezometer that was repaired and re-surveyed (PZ-78A). No corrections were needed on Tables 3, 4, and 5 regarding ground to TOC elevations. The old boring logs were obtained from historical reports for the site and are presented as-is.

NCSWS Item No. 16:

Appendix E: As previously noted, the Textural Classification Triangle uses different criteria for defining sand, silt and clay from the USCS Classification System. If correct data is used for the soil sizes, then different Specific Yield (Effective Porosity) values would be estimated from those currently in the Report.

Supplemental Information:

As mentioned above with NCSWS Item No. 3b, the effective porosity values have been recalculated using the particle size criteria on the chart. The changes in effective porosity were minor, and have been included in Table 1, Appendix E, and the text of the report in Section 3.4.2.

NCSWS Item No. 17a:

Appendix H: It is not clear how to interpret the information provided for PZ-18 and PZ-18D in determining hydraulic conductivity.

Supplemental Information:

The data plots presented in Appendix H for PZ-18 (PZ-18A) and PZ-18D (PZ-18B) were obtained from the original site hydrogeologic report (*Report of Geological and Hydrogeological Assessment, Spruill Farms Property*, dated December 1, 1992, Law Engineering Job Number 2490472602). The actual hydraulic conductivity values were presented on Table 4 of the aforementioned report (and used on Table 6 of this DHR). No other information is available.

NCSWS Item No. 17b:

Appendix H: As previously referenced, I was not able to calculate the hydraulic conductivity value for GW-1 that is in Table 6, based on the information provided in Appendix H.

Supplemental Information:

As mentioned above with NCSWS Item No. 6, Table 6 was using 12 feet as an aquifer thickness to convert transmissivity to hydraulic conductivity for GW-1. Table 6 has been changed for GW-1 to use an aquifer thickness of 10 feet to be consistent with other Layer IV piezometers.

NCSWS Item No. 18a:

Appendix I: The small base grade drawing included in Appendix I for Cell 11 is somewhat confusing, appearing to have two sets of different base grade lines.

Supplemental Information:

A revised drawing has been included in Appendix I.

NCSWS Item No. 18b:

Appendix I: The two Vertical Separation Tables do not appear to factor in the extra one foot for capillarity that is referenced in the text of the report. The Groundwater Elevation Separation values do not appear to match the other data in these tables.

Supplemental Information:

The two tables have been corrected to include the one foot potential capillary rise.

NCSWS Item No. 18c:

Appendix I: Although I am not presently clear on the proposed subgrade elevations, based on the small drawing in Appendix I, it appears some of the Clay Subgrade Elevations on these two tables do not match the drawings.

Supplemental Information:

The clay subgrade elevations were verified using the new BLE Figure 11. The clay subgrade elevation was revised for borings PZ-89A, PZ-90A, PZ-93A through PZ-96A, and PZ-100A to reflect the correct base liner design grades.

NCSWS Item No. 18d:

Appendix I: There appears to be an extraneous Q suffix to boring PZ-86A.

Supplemental Information:

The Q suffix was removed.

NCSWS Item No. 18e:

Appendix I: The Groundwater Elevation (Bottom of Layer I) for PZ-11A is inconsistent with the boring log.

Supplemental Information:

As mentioned in NCSWS Item No. 4a, PZ-11A is one of the older borings with bad survey data at the time the log was prepared in 1992; since that time the survey data has been corrected and the log is included as-is in Appendix C of the DHR.

The presumptive ground-water elevation is the bottom of Layer I plus one foot. The bottom of Layer I at PZ-11A is 57.71 feet and the presumptive ground-water elevation is 58.71 feet.

APPENDICES

APPENDIX A

Field Log

BORING NO. MM-7R

BLE JOB NO. J04-1001-49

PAGE NO. 1 of 1

BLE

LOCATION:

Geo Probe 6600

ELEVATION:

| GROUND WATER | | DEPTH TO: | | | TYPE | CASING | SAMPLER | CORE BARREL | ELEVATION: |
|--------------|-----------------|-----------|-------------------|-----------------|----------------------------|-------------|---------|----------------|------------------------|
| DATE | HRS AFT COMP | WATER | BOT. OF CASING | BOT. OF HOLE | | | | | |
| 9/22 | TOB | dry | | | SIZE ID/OD HSA 6.25" | Split Spoon | XXX | | DATE START: 9/22/09 |
| | | | | | HAMMER WT | 2" ID | XXX | | DATE FINISH: 9/22/09 |
| | | | | | HAMMER FALL | 140 lb | XXX | | DRILLER: K. Thomas |
| | | | | | | 30 " | XXX | | PREPARED BY: M. Preddy |

| DEPTH IN FEET | CASING BLOWS PER FT | SAMPLER BLOWS PER 6" | SAMPLE NUMBER | USCS | FIELD CLASSIFICATION AND REMARKS | WELL |
|---------------------|---------------------------|----------------------------|------------------|------|--|--------------------------------|
| 5 | | | | CL | gray f. sdy si CLAY- Layer I | 1" PVC Bent. Poa. Gravel |
| 10 | | | | | | |
| 15 | | | | | 4' x 4' Concrete pad, standup steel cover w/ lock & weep hole. | slip cap |
| 20 | | | | | | |

| BLOWS/FT | DENSITY | BLOWS/FT | CONSISTANCY | SAMPLE ID | | WELL DESCRIPTION |
|----------|------------|----------|-------------|-----------|------------------|-------------------|
| 0-4 | VERY LOOSE | 0-2 | VERY SOFT | SS | SPLIT SPOON | STICKUP = |
| 5-10 | LOOSE | 3-4 | SOFT | HP | HYDROPUNCH | TOP SAND = 3.0 |
| 11-20 | FIRM | 5-8 | FIRM | UD | UNDISTURBED TUBE | TOP BENT. = 1.0 |
| 21-30 | VERY FIRM | 9-15 | STIFF | G | GRAB | SCREEN = 4.5-9.5 |
| 31-50 | DENSE | 16-30 | VERY STIFF | C | COMPOSITE | SCREEN LENGTH = 5 |
| 51+ | VERY DENSE | 31-50 | HARD | B | BAG | END CAP = 0 |
| | | 51+ | VERY HARD | NR | NO RECOVERY | WELL TD = 9.5 |

Top Gravel = 4.0

APPENDIX B

Monitoring Probe Installation Record

KEY TO SOIL CLASSIFICATIONS AND CONSISTENCY DESCRIPTIONS

BUNNELL-LAMMONS ENGINEERING, INC.
GREENVILLE, SOUTH CAROLINA

Penetration Resistance* Blows per Foot

SANDS

0 to 4
5 to 10
11 to 20
21 to 30
31 to 50
over 50

Relative Density

Very Loose
Loose
Firm
Very Firm
Dense
Very Dense

Particle Size Identification

Boulder: Greater than 300 mm
Cobble: 75 to 300 mm
Gravel:
Coarse - 19 to 75 mm
Fine - 4.75 to 19 mm
Sand:
Coarse - 2 to 4.75 mm
Medium - 0.425 to 2 mm
Fine - 0.075 to 0.425 mm
Silt & Clay: Less than 0.075 mm

Penetration Resistance* Blows per Foot

SILTS and CLAYS

0 to 2
3 to 4
5 to 8
9 to 15
16 to 30
31 to 50
over 50

Consistency

Very Soft
Soft
Firm
Stiff
Very Stiff
Hard
Very Hard

*ASTM D 1586

KEY TO DRILLING SYMBOLS



Grab Sample



Split Spoon Sample



Undisturbed Sample

WOH = Weight of hammer



Groundwater Table at Time of Drilling

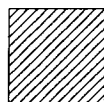


Groundwater Table 24 Hours after Completion of Drilling

KEY TO SOIL CLASSIFICATIONS



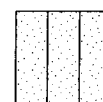
Well-graded Gravel
GW



Low Plasticity Clay
CL



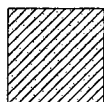
Clayey Silt
MH



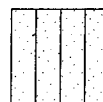
Silty Sand
SM



Poorly-graded Gravel
GP



Sandy Clay
CLS



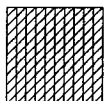
Sandy Silt
MLS



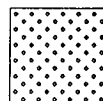
Topsoil
TOPSOIL



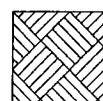
Partially Weathered Rock
BLDRCBBL



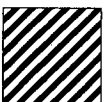
Silty Clay
CL-ML



Sand
SW



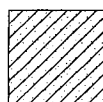
Bedrock
BEDROCK



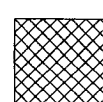
High Plasticity Clay
CH



Silt
ML



Clayey Sand
SC



Fill
FILL



METHANE MONITORING WELL NO. MM-7R

**BUNNELL-LAMMONS
ENGINEERING, INC.**
GEOTECHNICAL AND ENVIRONMENTAL
CONSULTANTS

PROJECT: East Carolina Regional MSW Landfill
CLIENT: Republic
LOCATION: Bertie County, North Carolina
DRILLER: BLE, Inc., K. Thomas
DRILLING METHOD: Geoprobe 6600 hollow stem auger
DEPTH TO - WATER> INITIAL: dry AFTER 24 HOURS:

PROJECT NO.: J04-1001-49
START: 9-22-04 END: 9-22-04
ELEVATION: 59.8
LOGGED BY: M. Preddy

CAVING>

ELEVATION/
DEPTH (FT)

DESCRIPTION

SOIL
TYPE

MONITOR WELL INSTALLATION
DETAILS

Gray, fine sandy, silty CLAY - Layer I

2

4

55

6

8

50

10

Boring terminated at 9.5 feet. No ground water encountered at time of drilling.

12

14

45

16

18

40

Neat cement, 0 to 1 foot

Bentonite seal, 1 to 3 feet

Filter pack, sand 3 to 4 feet

Pea gravel, 4 to 9.5 feet

1-inch diameter, 0.020-inch slotted
Schedule 40 PVC well screen, 4.5 to
9.5 feet

Total well depth, 9.5 feet

6.25-inch diameter augered borehole

SURFACE COMPLETION

4' X 4' concrete pad, stand-up steel
cover with weep hole and lock

Northing = 12,804.58'

Easting = 7,532.14'

Ground surface elev. = 59.8' MSL

Top of casing elev. = 62.49' MSL



BUNNELL-LAMMONS ENGINEERING, INC.
GEOTECHNICAL, ENVIRONMENTAL AND CONSTRUCTION MATERIALS CONSULTANTS

METHANE MONITORING PROBE INSTALLATION REPORT: MM-7R

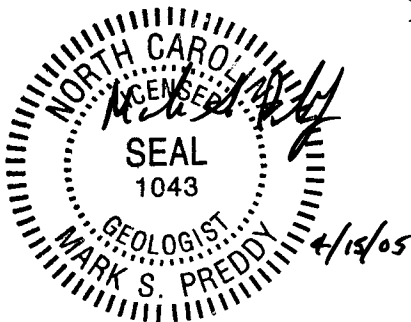
**EAST CAROLINA REGIONAL MSW LANDFILL
BERTIE COUNTY, NORTH CAROLINA**

Prepared for:

**HODGES, HARBIN, NEWBERRY, & TRIBBLE, INC.
484 Mulberry Street, Suite 265
Macon, Georgia 31201**

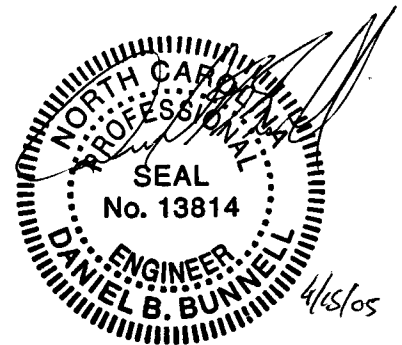
Prepared By:

**BUNNELL-LAMMONS ENGINEERING, INC.
6004 Ponders Court
Greenville, South Carolina 29615**



April 15, 2005

BLE Project Number J04-1001-49





BUNNELL-LAMMONS ENGINEERING, INC.

GEOTECHNICAL, ENVIRONMENTAL AND CONSTRUCTION MATERIALS CONSULTANTS

April 15, 2005

Hodges, Harbin, Newberry, & Tribble, Inc.
484 Mulberry Street, Suite 265
Macon, Georgia 31201

Attention: Mr. William F. Hodges, P.E.

Subject: **Methane Monitoring Probe Installation Report: MM-7R**
East Carolina Regional MSW Landfill
Bertie County, North Carolina
BLE Project Number J04-1001-49

Gentlemen:

As authorized, Bunnell-Lammons Engineering, Inc. has performed monitoring probe installation at the site. The enclosed report describes the work performed and presents the results obtained. The purpose of this project was to install a replacement methane monitoring probe for a probe that was abandoned in the past due to site construction activities.

We appreciate the opportunity to serve as your hydrogeological consultant on this project and look forward to working with you on future projects. If you have any questions, please contact us at (864) 288-1265.

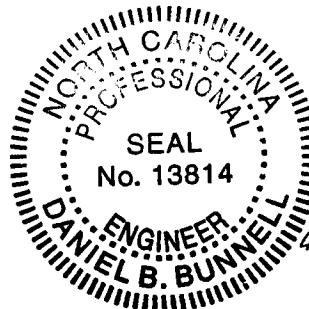
Sincerely,

BUNNELL-LAMMONS ENGINEERING, INC.

Mark S. Preddy, P.G.
Senior Hydrogeologist
Registered, North Carolina #1043

Daniel B. Bunnell, P.E.
Principal Geotechnical Engineer
Registered, North Carolina #13814

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1.0 PROJECT INFORMATION

The site is located in Bertie County about 7.5 miles northwest of Windsor, North Carolina, at the intersection of county roads SR 1221 and SR 1225 (Figure 1). The MSW landfill is owned and operated by Republic Services of North Carolina, LLC (Republic).

Methane probe MM-7 was abandoned in May 2000 because it was in the way of daily landfill construction activities between the active borrow pit and the waste cells. Since that time, routine landfill gas monitoring at the location has been monitored via a bar-bole punch. Since the location is no longer in the way of site construction activities, Republic contracted BLE to perform the installation of a replacement probe, which is documented in this report.

2.0 FIELD EXPLORATION

2.1 GENERAL

Field activities were performed on September 22, 2004. BLE drilling services (North Carolina Drillers License No. 2858) performed the probe installation, under the direction of a North Carolina-licensed geologist. The new methane monitoring probe location was surveyed for horizontal and vertical control, by Donaldson, Garrett, & Associates of Charlotte, North Carolina, after completion of the drilling activities.

2.2 SOIL BORING AND PROBE CONSTRUCTION

Replacement methane monitoring probe MM-7R was installed east of Cell 9, at the location shown on the attached Monitoring Probe Location Plan (Figure 2). The probe was installed in a soil boring that was advanced using a truck-mounted Geoprobe 6600 drilling rig by mechanically twisting a continuous flight of 6.25-inch diameter steel hollow-stem augers into the soil.

The soil descriptions recorded on field boring log (Appendix A) and final soil test boring log (Appendix B) are based on visual examination by a North Carolina-licensed geologist and conform

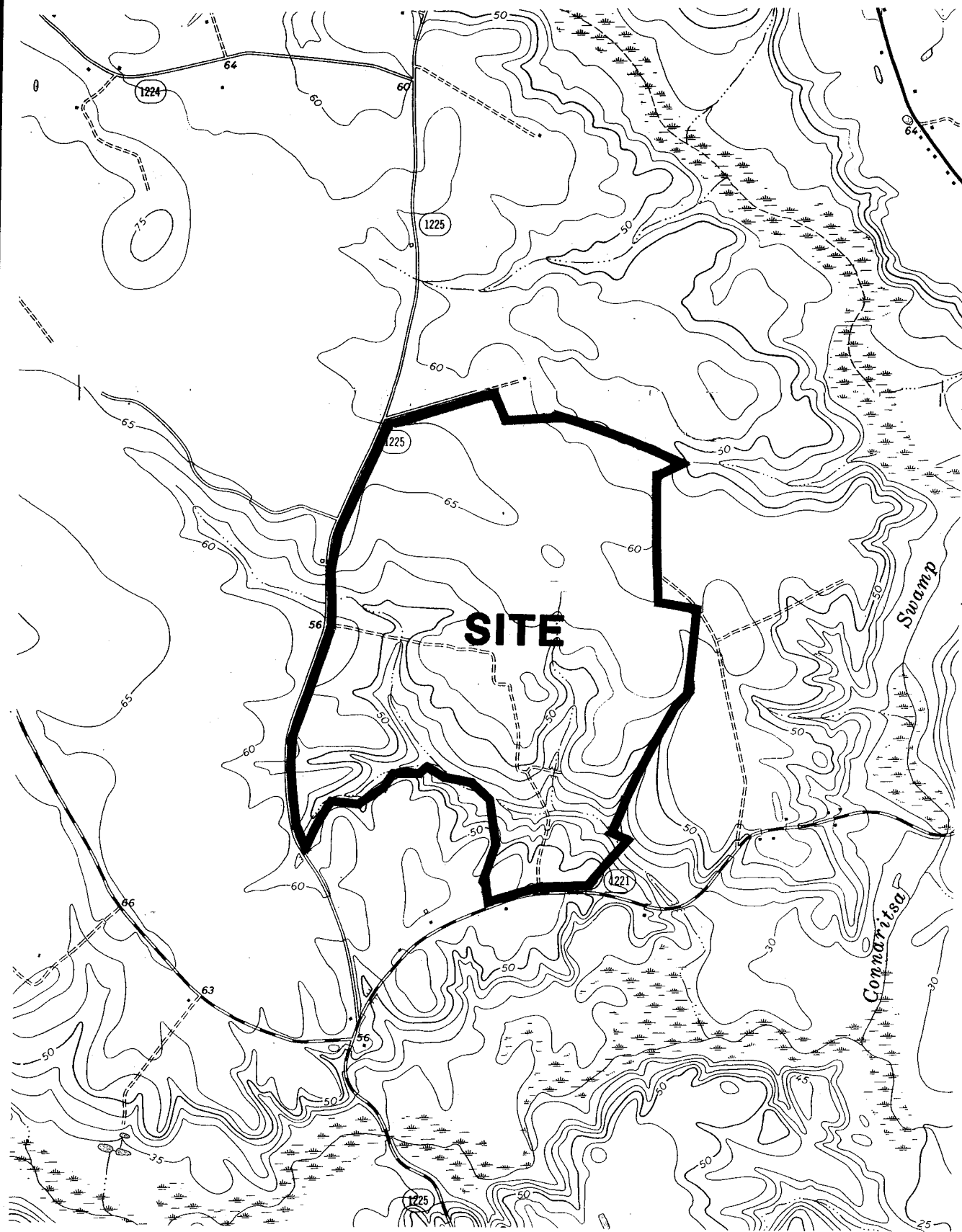
to the Unified Soil Classification System (USCS). An information sheet describing the USCS terms used is included in Appendix B. The boring encountered gray, fine sandy, silty clay, which is defined at the site as *Layer I*.

MM-7R consists of 1-inch Schedule 40 polyvinyl chloride (PVC) casing with flush-threaded joints installed in the augered borehole. The bottom 5-foot section of the probe (4.5 to 9.5 feet bgs) is a manufactured well screen with 0.020-inch wide machined slots. Washed pea gravel was placed around the outside of the pipe to 0.5-feet above the top of the well screen (4.0 to 9.5 feet bgs). A one-foot thick layer of filter sand was placed on top of the pea gravel (3.0 to 4.0 feet bgs). A two foot thick layer of bentonite was installed on top of the filter sand backfill to seal the monitoring probe at the desired level (1.0 to 3.0 feet bgs). Concrete was placed in the upper 1.0 feet. A PVC cap and a lockable 4-inch diameter protective steel cover were placed over the probe. A 4-foot by 4-foot square concrete pad was put at the base of the probe. A monitoring probe construction record is attached in Appendix B.

3.0 CONCLUSION

In conclusion, methane monitoring probe MM-7R was installed as a replacement of probe MM-7 that was abandoned in 2000. Installation of the probe was accomplished in accordance with the facility permit and the Division of Solid Waste Management rules.

FIGURES



REFERENCE:
USGS TOPOGRAPHIC MAP, 7.5 MINUTE SERIES,
AULANDER AND REPUBLICAN, N.C. QUADRANGLES, 1972.

| | | | |
|-----------|-----|---------|-------------|
| DRAWN: | AEH | DATE: | 07-14-00 |
| CHECKED: | GLW | CAD: | ECLF28-SVM |
| APPROVED: | | JOB NO: | J00-1001-28 |

IBLE inc.
BUNNELL-LAMMONS ENGINEERING, INC.
1200 WOODRUFF ROAD, SUITE B-7
GREENVILLE, SOUTH CAROLINA 29607
PHONE: (864)288-1265 FAX: (864)288-4430

SITE VICINITY MAP
EAST CAROLINA REGIONAL MSW LANDFILL
BERTIE COUNTY, NORTH CAROLINA

FIGURE

1

APPENDIX A

Field Log

| TEST BORING REPORT | | | | | | | | | | BORING NO. MM-7R | |
|--|---------------------|----------------------|----------------|--------------|--|--------------|--------------------|-----------------------------|-------------------------------|-------------------------|--|
| PROJECT: East Carolina Regional MSW Landfill, NC | | | | | | | | | | BLE JOB NO. J04-1001-49 | |
| CLIENT: Republic | | | | | | | | | | PAGE NO. 1 of 1 | |
| CONTRACTOR: <u>BLG</u> | | | | | | | | | | LOCATION: | |
| EQUIPMENT USED: <u>GeoProbe 6600</u> | | | | | | | | | | ELEVATION: | |
| GROUND WATER | | DEPTH TO: | | | CORE | | | DATE START: <u>9/22/09</u> | | | |
| DATE | HRS AFT COMP | WATER | BOT. OF CASING | BOT. OF HOLE | CASING | SAMPLER | BARREL | DATE FINISH: <u>9/22/09</u> | | | |
| <u>9/22</u> | <u>TOB</u> | <u>Dry</u> | | | TYPE | <u>HSA</u> | <u>Split Spoon</u> | <u>XXX</u> | DRILLER: <u>K. Thomas</u> | | |
| | | | | | SIZE ID/OD | <u>6.25"</u> | <u>2" ID</u> | <u>XXX</u> | PREPARED BY: <u>M. Preddy</u> | | |
| | | | | | HAMMER WT | <u>XXX</u> | <u>140 lb</u> | <u>XXX</u> | | | |
| | | | | | HAMMER FALL | <u>XXX</u> | <u>30"</u> | <u>XXX</u> | | | |
| DEPTH IN FEET | CASING BLOWS PER FT | SAMPLER BLOWS PER 6" | SAMPLE NUMBER | USCS | FIELD CLASSIFICATION AND REMARKS | | | | WELL | | |
| 5 | | | | | gray f. sdy si CLAY-Layer I CL | | | | | | |
| 6 | | | | | | | | | | | |
| 7 | | | | | | | | | | | |
| 8 | | | | | | | | | | | |
| 9 | | | | | | | | | | | |
| 10 | | | | | | | | | | | |
| 11 | | | | | | | | | | | |
| 12 | | | | | | | | | | | |
| 13 | | | | | | | | | | | |
| 14 | | | | | | | | | | | |
| 15 | | | | | 4' x 4' concrete pad, standup steel cover w/ lock + weep hole. | | | | slip cap | | |
| 16 | | | | | | | | | | | |
| 17 | | | | | | | | | | | |
| 18 | | | | | | | | | | | |
| 19 | | | | | | | | | | | |
| 20 | | | | | | | | | | | |
| 21 | | | | | | | | | | | |
| 22 | | | | | | | | | | | |
| 23 | | | | | | | | | | | |
| 24 | | | | | | | | | | | |
| BLOWS/FT | | DENSITY | | BLOWS/FT | | CONSISTANCY | | SAMPLE ID | | WELL DESCRIPTION | |
| 0-4 | | VERY LOOSE | | 0-2 | | VERY SOFT | | SS SPLIT SPOON | | STICKUP = | |
| 5-10 | | LOOSE | | 3-4 | | SOFT | | HP HYDROPUNCH | | TOP SAND = 3.0 | |
| 11-20 | | FIRM | | 5-8 | | FIRM | | UD UNDISTURBED TUBE | | TOP BENT. = 1.0 | |
| 21-30 | | VERY FIRM | | 9-15 | | STIFF | | G GRAB | | SCREEN = 4.5-9.5 | |
| 31-50 | | DENSE | | 16-30 | | VERY STIFF | | C COMPOSITE | | SCREEN LENGTH = 5 | |
| 51+ | | VERY DENSE | | 31-50 | | HARD | | B BAG | | END CAP = 0 | |
| | | | | 51+ | | VERY HARD | | NR NO RECOVERY | | WELL TD = 9.5 | |

Top Gravel = 4.0

APPENDIX B

Monitoring Probe Installation Record

KEY TO SOIL CLASSIFICATIONS AND CONSISTENCY DESCRIPTIONS

BUNNELL-LAMMONS ENGINEERING, INC.
GREENVILLE, SOUTH CAROLINA

Penetration Resistance* Blows per Foot

SANDS

0 to 4
5 to 10
11 to 20
21 to 30
31 to 50
over 50

Relative Density

Very Loose
Loose
Firm
Very Firm
Dense
Very Dense

Particle Size Identification

Boulder: Greater than 300 mm
Cobble: 75 to 300 mm
Gravel:
Coarse - 19 to 75 mm
Fine - 4.75 to 19 mm
Sand:
Coarse - 2 to 4.75 mm
Medium - 0.425 to 2 mm
Fine - 0.075 to 0.425 mm
Silt & Clay: Less than 0.075 mm

Penetration Resistance* Blows per Foot

SILTS and CLAYS

0 to 2
3 to 4
5 to 8
9 to 15
16 to 30
31 to 50
over 50

Consistency

Very Soft
Soft
Firm
Stiff
Very Stiff
Hard
Very Hard

*ASTM D 1586

KEY TO DRILLING SYMBOLS



Grab Sample



Split Spoon Sample



Undisturbed Sample



Groundwater Table at Time of Drilling



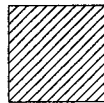
Groundwater Table 24 Hours after Completion of Drilling

WOH = Weight of hammer

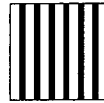
KEY TO SOIL CLASSIFICATIONS



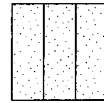
Well-graded Gravel
GW



Low Plasticity Clay
CL



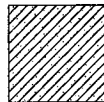
Clayey Silt
MH



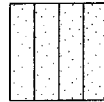
Silty Sand
SM



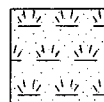
Poorly-graded Gravel
GP



Sandy Clay
CLS



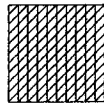
Sandy Silt
MLS



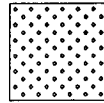
Topsoil
TOPSOIL



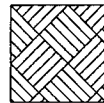
Partially Weathered Rock
BLDRCBBL



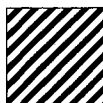
Silty Clay
CL-ML



Sand
SW



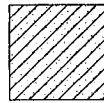
Bedrock
BEDROCK



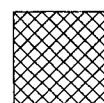
High Plasticity Clay
CH



Silt
ML



Clayey Sand
SC



Fill
FILL



METHANE MONITORING WELL NO. MM-7R

**BUNNELL-LAMMONS
ENGINEERING, INC.**
GEOTECHNICAL AND ENVIRONMENTAL
CONSULTANTS

PROJECT: East Carolina Regional MSW Landfill

PROJECT NO.: J04-1001-49

CLIENT: Republic

START: 9-22-04 END: 9-22-04

LOCATION: Bertie County, North Carolina

ELEVATION: 59.8

DRILLER: BLE, Inc., K. Thomas

LOGGED BY: M. Preddy

DRILLING METHOD: Geoprobe 6600 hollow stem auger

DEPTH TO - WATER> INITIAL: ∇ dry AFTER 24 HOURS: ∇ CAVING: \otimes

ELEVATION/
DEPTH (FT)

DESCRIPTION

SOIL
TYPE

MONITOR WELL INSTALLATION
DETAILS

Gray, fine sandy, silty CLAY - Layer I

2

4

55

6

8

50

10

Boring terminated at 9.5 feet. No ground water encountered at time of drilling.

12

14

45

16

18

40

Neat cement, 0 to 1 foot

Bentonite seal, 1 to 3 feet

Filter pack, sand 3 to 4 feet

Pea gravel, 4 to 9.5 feet

1-inch diameter, 0.020-inch slotted
Schedule 40 PVC well screen, 4.5 to
9.5 feet

Total well depth, 9.5 feet

6.25-inch diameter augered borehole

SURFACE COMPLETION

4' X 4' concrete pad, stand-up steel
cover with weep hole and lock

Northing = 12,804.58'

Easting = 7,532.14'

Ground surface elev. = 59.8' MSL

Top of casing elev. = 62.49' MSL

METHANE MONITORING WELL NO. MM-7R

Sheet 1 of 1

PUBLISHER'S AFFIDAVIT

North Carolina
Bertie County


Michelle Leicester affirms that she is Production Manager of the *Bertie Ledger-Advance*, a newspaper published weekly at Windsor, Bertie County, North Carolina, and that the advertisement, a true copy of which is hereto attached, entitled:

Public Notice
Division of Waste Management

Was published in said the *Bertie Ledger-Advance* on the following date(s):

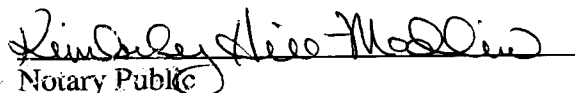
April 6

And that the said newspaper in which such notice, paper, document or legal advertisement was published, was at the time of each and every publication, a newspaper meeting all of the requirements and qualifications of Chapter 1, Section 597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Chapter 1, Section 597 of the General Statutes of North Carolina.



Affirmed and subscribed before me this

7 Day of April 2005

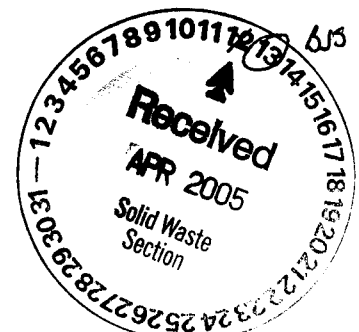

Notary Public

My Commission Expires My Commission Expires June 13, 2008

Bertie County
East Carolina
Region 10 / L.R.
0803

LEGAL NOTICE
The East Carolina Environmental Regional Council, Permit Number 08-03 is located on SR 1255, north of Windsor, Bertie County, North Carolina. The ECE MSWLF facility is owned and operated by Republic Services of North Carolina, LLC. The ECE MSWLF facility currently has a permit for a 470-acre facility development plan which includes an approximately 113-acre flood municipal solid waste landfill, storm debris area, sludge solidification pit and related infrastructure. Permits have been issued for the overall facility development and specifically the construction and operation of Phases 1-3, Cells 3-10 MSW unit, which will cover approximately 77 acres plus related infrastructure. Republic Services of North Carolina, LLC and East Carolina Environmental have been issued a new facility franchise by the Bertie County Board of County Commissioners. The revised franchise was approved October 17, 2000. A new franchise was required because substantial changes to the effective permit are proposed. The changes include an increase in the annual waste disposal rate to 1600 tons per day (584,000 tons per year), an increase in the volume of the landfill to 24,200,000 cubic yards, an increase in area of the facility to 682.6 acres, an increase in the footprint of the landfill to 150 acres, and special waste handling. The franchise increases will extend the life of the landfill approximately 24 years at the projected waste rates. If waste rates do not meet expectations, the landfill could last longer.
April 6
Hearing, Five (5) minutes will be allowed per speaker. Interested parties may submit written statements and data concerning the proposed new facility permit to the division, contact at the above address.

The East Carolina Environmental Regional Council, Permit Number 08-03 is located on SR 1255, north of Windsor, Bertie County, North Carolina. The ECE MSWLF facility is owned and operated by Republic Services of North Carolina, LLC. The ECE MSWLF facility currently has a permit for a 470-acre facility development plan which includes an approximately 113-acre flood municipal solid waste landfill, storm debris area, sludge solidification pit and related infrastructure. Permits have been issued for the overall facility development and specifically the construction and operation of Phases 1-3, Cells 3-10 MSW unit, which will cover approximately 77 acres plus related infrastructure. Republic Services of North Carolina, LLC and East Carolina Environmental have been issued a new facility franchise by the Bertie County Board of County Commissioners. The revised franchise was approved October 17, 2000. A new franchise was required because substantial changes to the effective permit are proposed. The changes include an increase in the annual waste disposal rate to 1600 tons per day (584,000 tons per year), an increase in the volume of the landfill to 24,200,000 cubic yards, an increase in area of the facility to 682.6 acres, an increase in the footprint of the landfill to 150 acres, and special waste handling. The franchise increases will extend the life of the landfill approximately 24 years at the projected waste rates. If waste rates do not meet expectations, the landfill could last longer.
April 6



Bertie Ledger-Advance

4/7/05

Advertiser

**NCDENR Division of Waste Management
Solid Waste Section
1646 Mail Service Center
Raleigh, NC 27699-1646**

**P.O. Drawer 69
105 E. Granville St.
Windsor, NC 27983
Phone: 252-794-3185
Fax: 252-794-2835
ledgercirc@earthlink.net**

Statement

[illegible]

To B.J. Starfield
for payment 4/13/08



NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

December 3, 1998 should be April 2005 (Jm)

The Bertie Ledger
Classified/Legal Advertising Section
Attention: Kim
PO Box 69
Windsor, NC, 27983

VIA EMAIL: bertieledgeradv@earthlink.net

Dear Kim:

Please publish the following legal notice in the Wednesday, April 6, 2005 edition of the *The Bertie Ledger*. **To Ensure payment, send together the bill for the notice and a notarized copy of the notice (include the date it is run) to the following address:**

**Ms. B.J. Stanfield
Division of Waste Management
Solid Waste Section
1646 Mail Service Center
Raleigh, NC 27699-1646**

If you have any questions about the legal notice or the billing, please contact me at telephone 919-733-4996, ext 337: or FAX 919-715-3605. Thank you for your help.

Sincerely,

Ed Mussler
Environmental Engineer
Solid Waste Section

0803
EAST CAROLINA
Bertie County
Permit File

efm
Attachment

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone 919-733-4996 \ FAX 919-733-4810 \ Internet <http://wastenotnc.org>

PUBLIC NOTICE

NC Department of Environment and Natural Resources
Division of Waste Management
Solid Waste Section
1646 Mail Service Center
Raleigh, North Carolina 27699-1646
Telephone 919-733-4996 or Fax 919-733-4810

Notice of public comment period on a new facility permit for the East Carolina Environmental Regional (ECE) Municipal Solid Waste Landfill (MSWLF) Facility, Permit Number 08-03, located in Bertie County, is hereby given. This 45-day comment period will begin April 6, 2005 and end at 5 PM on May 23, 2005. Persons wishing to comment on the terms and conditions of the new permits should submit their comments in writing to the Division contact, Edward Mussler, P.E., at the above address. All data submitted by the applicant is available as part of the administrative record and may be viewed during business hours, 9 AM-4 PM, Monday-Friday, by appointment, at the Division of Waste Management, 401 Oberlin Road, Suite 150, Raleigh, NC. A public hearing on the new facility plan and permit has been scheduled for May 5, 2005, at 2 PM. The hearing will be held in the Commissioners Meeting Room, Bertie County Administration Bldg. 106 Dundee St. Windsor, NC. Interested parties may submit oral or written statements and data concerning the proposed new facility permit. Persons wishing to speak may register at the hearing. Five (5) minutes will be allotted per speaker. Interested parties may submit written statements and data concerning the proposed new facility permit to the division contact at the above address.

The East Carolina Environmental Regional Landfill, Permit Number 08-03 is located on SR 1255, north of Windsor, Bertie County, North Carolina. The ECE MSWLF facility is owned and operated by Republic Services of North Carolina LLC. The ECE MSWLF facility currently has a permit for a 470-acre facility development plan which includes an approximate 113-acre lined municipal solid waste landfill, storm debris area, sludge solidification pit and related infrastructure. Permits have been issued for the overall facility development and specifically the construction and operation of Phases 1-3, Cells 3-10 MSW unit, which will covers approximately 77 acres plus related infrastructure.

Republic Services of North Carolina, LLC and East Carolina Environmental have been issued a new facility franchise by the Bertie County Board of County Commissioners. The revised franchise was approved October 17, 2000. A new franchise was required because substantial changes to the effective permit are proposed. The changes include an increase in the annual waste disposal rate to 1600 tons per day (584,000 tons per year), an increase in the volume of the landfill to 24,200,000 cubic yards, an increase in area of the facility to 662.6 acres, an increase in the footprint of the landfill to 150 acres, and special waste handling. The franchise increases will extend the life of the landfill approximately 24 years at the projected waste rates. If waste rates do not meet expectations, the landfill could last longer.

FACT SHEET
PERMIT NUMBER: 08-03

FACILITY: East Carolina Regional Landfill
COUNTY: Bertie
CITY: Windsor, North Carolina

OWNER: Republic Services of North Carolina, LLC
1220 Commerce St. SW
Suite A
Conover, NC 28613

OPERATOR: East Carolina Environmental, Inc.
1922 Republican Road
Aulander, NC 27805

Description

Draft Solid Waste Permits, Part 1: Permit to Construct, and Part 2: Permit to Operate have been prepared by the Division of Waste Management for the operation of the East Carolina Regional Landfill, a municipal solid waste landfill facility (MSWLF). The division has determined that the proposed facility plan, engineering plan, construction quality assurance plan, operation plan, closure and post-closure plan and the water quality monitoring plan, as identified in the application, satisfy the requirements and intent of the North Carolina Solid Waste Management Rules, codified as 15A NCAC 13B .1600.

The East Carolina Regional Landfill is owned and operated by Republic Services of North Carolina, LLC, a wholly owned subsidiary of Republic Services, Inc. of Ft. Lauderdale, Fl. The facility is located on NCSR 1255, north of Windsor, Bertie County, North Carolina. On October 17, 2000 the Bertie County Board of Commissioners granted Republic Services of North Carolina, LLC a revised franchise to expand the facility, increase the permitted volume, yearly rate and extend the facility life.

The facility added property for the purpose of expanding the landfill footprint. The facility increases in size from a current 470.3 acres to a new 662.6 acres. The existing permitted landfill unit footprint covers approximately 113 acres, and the expansion will increase the permitted footprint to 150 acres. Currently Cells 3-10 have been constructed and are operational. The existing Cells 1 and 2 will be eliminated and the facility will ultimately have Cells 3-15. This permit approves the master conceptual facility plan and continued operation of Phases 1-3, Cells 3 through 10. The facility is projected to be developed over approximately 24 years. If waste receipts do not reach the permitted levels, the project could last longer.

The MSWLF unit is permitted to dispose of household, industrial and commercial solid waste. Hazardous or other banned wastes such as yard waste and white goods are not approved for disposal. The facility is permitted to accept waste generated within the state of North Carolina, consistent with the local government approval and franchise agreement. The total facility capacity is being raised from approximately 11,000,000 cubic yards to a gross capacity of 24,200,000 cubic yards. Gross capacity is defined by the division as the volume bounded by the top of protective cover through the top of the final cover. It includes daily operational cover. Actual disposal volume may be less. This will extend the life of the facility to about 24 years from April of 2003. The franchise also increases the approved disposal rate to 584,000 tons per year, which corresponds to an approximate disposal rate 1600 tons of waste per day, based on 365 days per year.

Permit Structure

The permit is divided into sections. A copy of the permit is attached.

Public Comment Period

North Carolina Solid Waste Management Rules require that the public be given a 45-day period to comment on the draft permit. This 45-day period will begin on April 6, 2005. The draft permit is available for review by appointment from 9 AM to 4 PM, Monday-Friday, at the Division of Waste Management, 401 Oberlin Road, Raleigh, NC. All data submitted by the applicant is available as part of the administrative record. Persons wishing to comment on either this permit or the proposed permit conditions or to object to the permit issuance should submit their comments in writing by 5 PM, May 23, 2005. Comments should be sent to the address shown below and include the permit number. All comments received within the 45-day period will be considered in making the final determinations regarding the permit. A final permit decision and response to comments will be prepared soon after the conclusion of the comment period.

Division Contact-

Comments and requests for more information should be sent to:

Mr. Edward F. Mussler III, P.E.
North Carolina Division of Waste Management
Solid Waste Section
1646 Mail Service Center
Raleigh, North Carolina 27699-1646
(919) 733-4996 ext 343
FAX (919) 733-4810
email- ed.mussler@ncmail.net

Public Hearing Notice

The North Carolina Solid Waste Management Rules provide for a public hearing. A public hearing on the new facility plan and permit has been scheduled for May 5, 2005, at 2 PM. The hearing will be held in the Commissioners Meeting Room, Bertie County Administration Bldg. 106 Dundee St.

Windsor, NC. Interested parties may submit oral or written statements and data concerning the proposed new facility permit. Persons wishing to speak may register at the hearing. Five (5) minutes will be allotted per speaker. Comments will only be accepted on the referenced permit and facility plan.

NOTIFICATION

Persons who want to receive notice of the final permit decision should register with the division contact.

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Subject: RE: Public Hearing for East Carolina
From: "Zee Lamb" <zee.lamb@ncmail.net>
Date: Thu, 31 Mar 2005 13:49:30 -0500
To: "Ed Mussler" <Ed.Mussler@ncmail.net>

0803
EAST CAROLINA
BERTIE COUNTY
CORRESPONDENCE
FILE

Either, but 2:00 would be better. County Administration Building.

-----Original Message-----

From: Ed Mussler [mailto:Ed.Mussler@ncmail.net]
Sent: Thursday, March 31, 2005 1:05 PM
To: Zee Lamb
Subject: Re: Public Hearing for East Carolina

Thank you. Do you think 2 pm in the afternoon would be acceptable or should we have a 7 pm evening meeting? Also what is the building name (ie County Office Bldg, Courthouse, ect)
thank you ed

Zee Lamb wrote:

Either date, April 25 or May 5 is fine. I have reserved the Commissioners Meeting room for each date. Let me know which date you decide. Address is 106 Dundee street, Windsor, NC 27983.

-----Original Message-----

From: ED.MUSSLER@ncmail.net [mailto:ED.MUSSLER@ncmail.net]
Sent: Tuesday, March 29, 2005 3:53 PM
To: zee.lamb@ncmail.net
Cc: hodge-swmf@aol.com; hoffmanrj@repsrvnc.com; jim.barber@ncmail.net
Subject: Public Hearing for East Carolina

Mr. Lamb,

I am Ed Mussler from the Solid Waste Section of the Division of Waste Management.

I am the permitting engineer for the East Carolina REgional landfill. As you know we are working on a new facility permit which would expand the size

and disposal rate and volume of the landfill. I have to have a 45 day public

comment period and also we have to hold a public hearing on the draft permit.

This is a hearing for the stateto hold.

Would you be so kind as to help me? I would like to hold a hearing, preferably

on April 25 or May 5. Which date would be best for you and which date would

have an open date at a county office or conference room?

Would you please help me get a room, for one of those dates (or another that works best for you all). We are open for either an afternoon meeting or a night one, whichever you think is best. For your information, we have not had much attendance at the last few meetings helod up there.

If possible I would need this information by the end of business on Thursday

so that I can get the proper notices in the Ledger for next Wednesday publication.

If you need to speak with me please give me a call at 919.733.4996 x343. I am out of the office this afternoon, but will be in on Wed.

thanks you for your assistance
Regards
Ed Mussler
Solid Waste Section;
Ed Mussler, P.E.
Permitting Engineer
Solid Waste Section
Division of Waste Management
Mail to: 1646 Mail Service Center
Raleigh, NC, 27699-1646
401 Oberlin Road
Suite 150
Raleigh, NC 27606
919.733.4996
919.7334810 (fax)
ed.mussler@ncmail.net
wastenotnc.org

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HODGES, HARBIN, NEWBERRY & TRIBBLE, INC.

CONSULTING ENGINEERS

484 MULBERRY STREET • SUITE 265 • MACON, GEORGIA 31201
P. O. Box 974 • MACON, GEORGIA 31202 -0974

H. LOWRY TRIBBLE, JR., PE
WILLIAM F. HODGES, PE
HAROLD L. NEWBERRY, PE
J. STEVEN HARBIN, PE
W. MICHAEL STUBBS, PE
R. BRANT LANE, PE

TELEPHONE (478) 743-7175
FAX (478) 743-1703

February 9, 2005

Mr. Edward F. Mussler, III, P.E.
NC Department of Environment & Natural Resources
1646 Mail Service Center
Raleigh, NC 27699-1646

**Re: East Carolina Environmental
Cell No. 11
HHNT Project No. 1001-375-01**



Dear Mr. Mussler:

We have enclosed Construction Plans for Cell 11 at East Carolina. We request that these plans be approved as an extension of the Phase III Construction Permit to allow construction to begin in Spring 2005. The Design Hydrogeologic Report for this Cell and Phase IV was submitted to the Section on January, 20, 2005.

We Request this be allowed under the same permit conditions as now in place for Phase III including technical specifications, CQA requirements, and other construction requirements.

Should you have any questions, please call.

Sincerely,

HODGES, HARBIN, NEWBERRY AND TRIBBLE, INC.

William F. Hodges, P.E.
Professional Engineer

WFH/jlm

cc: Ray Hoffman, P.E. w/encl.
Tom Flannagan, w/encl.